$7

POLAND WATCH

No. 7

THE POLITICS OF NORMALIZATION

The Killing of Father Popieluszko
The Attack on Higher Education
The Functioning of the Sejm
Solidarity and Workers' Self-Management
Czechoslovak Opposition, Part II

Journal of the Poland Watch Center
Washington, D.C.

Poland Watch is an independent quarterly journal devoted to human rights issues in Poland.

It is published by the Poland Watch Center, 1775 T St., N.W., Washington, D.C. 20009.

Editor: Jane Cave
Editorial Board: Irena Grudzinska-Gross, Ewa Hauser, Jacek Kalabinski, Maya Latynski, Marsha Sosnowska, Andrzej Tymowski,Tadeusz Walendowski.

Editorial Assistant: Roman Dumas

Advisory Board: Amy Young Anawaty, Stanislaw Baranczak, Abraham Brumberg, Edward Kline, Leszek Kolakowski, Aloysius Mazewski, Jan Nowak, John Richardson, Michael Scammell, Harry Scoble, Leonard Sussman, Laurie Wiseberg.

Subscription rates:
US & Canada: Individual—$25; libraries & institutions—$35.
Overseas: Individual—$35; libraries & institutions—$45.
Single issue: $7 in US & Canada, $8 overseas.
All payments in US dollar checks or money orders.

ISSN: 0736-0061

Layout and design: Doria Howe
Typesetting: EPS Group, Inc., Baltimore, Maryland
Printed by: McGregor and Werner, Inc., Washington, D.C.
Copyright 1985 © Poland Watch Center

The views expressed by individual contributors to *Poland Watch* do not necessarily reflect those of the editors.

POLAND WATCH

LIBRARY OF CONGRESS
MAY - 6 1985
COPY
COPYRIGHT OFFICE

No. 7

Editor's Note

Reports

The Murder of Father Popiełuszko 1
After the Amnesty 27
The Normalization of Higher Education 38
Citizens' Committees Against Violence 47

The Politics of Normalization

The Functioning of the Sejm Since December 13, 1981 55
Jolanta Strzelecka
Poland Revisited 75
David Ost

Solidarity and Self-Management, May–July 1981 97
Henry Norr
Czechoslovak Opposition Since 1968, Part II 123
Jan Kavan

Readers' Letters 145

Calendar of Events 151

Studies on Capitalism and Communism
FROM TRANSACTION BOOKS

FROM ADAM SMITH TO THE WEALTH OF AMERICA

Alvin Rabushka

This work describes an earlier reversal of mercantilist claims by a growing group of influential politicians influenced by Adam Smith's *The Wealth of Nations*.

It is Alvin Rabushka's contention that Adam Smith's principles of sound money, taxes, minimal governmental regulation, and free trade have led to prosperity wherever they were instituted. To show that this was not simply a nineteenth-century phenomenon, Rabushka looks to the flourishing economies of the Pacific basin countries that have also turned their backs on mercantilist policies in modern times: specifically Hong Kong, Taiwan, Singapore, and South Korea. In his final chapters, the author addresses the question of the wealth of America, a country which Smith's principles transformed during its first century and a half from a small agrarian economy into a twentieth-century industrial giant.

ISBN: 0-88738-029-8 (cloth) **$29.95**

PERIPHERAL CAPITALISM

THE TRANSFORMATION OF ANTIGUA IN POSTCOLONIAL CARIBBEAN SOCIETY

Paget Henry

Professor Henry provides the first modern systematic account of Antiguan society in a postcolonial period. Its importance is theoretical no less than empirical, providing a framework for understanding small nation development as part of the peripheral area of the international capitalist system; it also clarifies the impact of that peripheralization on the nature and patterns of the growth of the Caribbean nation's economic, political, and cultural institutions.

He gives a sociohistorical analysis of the slavery and postslavery periods in which modern Antigua has its roots. Through his account of the peripheralization of Antigua to Europe and then to America, Henry provides a new theoretical framework for the treatment of postcolonial cultural systems, constructed within the categorical framework of dependency theory.

ISBN: 0-87855-490-4 (cloth) **$34.95 (t)**

THE COMMUNIST PARTY IN SPAIN

Víctor Alba
Vincent G. Smith, translator

This translation of Alba's major work from Spanish provides the first comprehensive English-language analysis of the social history of the Communist party in Spain.

ISBN: 0-87855-464-5 (cloth) **$49.95**

THE MANY FACES OF SOCIALISM

ESSAYS IN COMPARATIVE SOCIOLOGY AND POLITICS

Paul Hollander

Dealing with topics and perspectives generally neglected by American (and Western) sociologists, Paul Hollander focuses on the nature of socialism and the reasons for Marxism's appeal among Western intellectuals. In his new introduction to updated essays, never before published in book form, he also addresses issues of enduring interest in both socialist and pluralistic societies.

ISBN: 0-87855-480-7 (cloth) **$29.95**

POLITICS AND HISTORY

Raymond Aron
Miriam Bernheim Conant, translator and editor
New Introduction by Michael A. Ledeen

Raymond Aron, French scholar, journalist, philosopher, sociologist, and historian, is internationally recognized as one of the great thinkers in the modern social sciences, bringing to contemporary history the insights of both philosophy and social science. This edition focusses on Aron's lifelong attempt to bridge the gap between knowledge and action and to understand the dialectical relationship between history and politics. It is an indispensable introduction to one of the most important thinkers of our century.

This volume also contains an introduction by Aron, which presents an autobiographical account of his confrontation with many of the most important ideas of this century. Miriam Bernheim Conant provides perceptive commentary as well as a chronology of Aron's career and works.

"In thirteen profound, wide-ranging essays, one of France's most distinguished living political commentators combines the insights of philosophy and social science with reflections of his own intellectual career "to bridge the gap between knowledge and action, to understand the dialectical relationship between history and politics." —*Publishers Weekly*

ISBN: 0-87855-944-2 (paper) **$12.95**

ADJUSTMENT CRISIS IN THE THIRD WORLD

Richard E. Feinberg and Valeriana Kallab, editors

Just how the developing countries' debt and balance-of-payments crisis is managed, by them and outsiders, will make a big difference to the pace and quality of global recovery and development progress—upon which U.S. prosperity also depends. Individual chapters in this volume analyze the longer-term outlook for managing Third World debt; the need for readjusting the policies of the IMF; the World Bank's structural adjustment lending program; and the adjustment experiences of several newly industrializing countries, Mexico, several Central American and Caribbean nations, and Brazil.

ISBN: 0-87855-988-4 (paper) **$12.95**

Order from your bookstore or prepaid from:

Transaction Books
Dept. SCC 3
Rutgers -
The State University
New Brunswick, N.J.
08903

EDITOR'S NOTE

Events in Poland during the past few months have been overshadowed by the murder of Father Jerzy Popiełuszko and the subsequent trial of the four security officials immediately responsible for his death. The trial was unprecedented, but the murder was not. Father Popiełuszko was the most well-known, but by no means the first, victim of Poland's security forces. While it cannot be said that the security apparatus engages in physical violence on a mass scale, it clearly regards it as an acceptable option in relation to particularly "troublesome" individuals. Whatever the underlying motive, and regardless of who gave the order—questions which remain unanswered despite the trial—Father Popiełuszko's murder was part of a broader pattern of selective violence practiced by the security forces and apparently tolerated by the Polish leadership. There is a sense, then, in which General Jaruzelski bears moral responsibility for the crime, a responsibility that cannot be obscured by his decision to bring Captain Piotrowski and his associates before a court of law.

This decision has earned General Jaruzelski considerable praise from many western observers, and indeed the trial is a welcome departure from past practice. It is, of course, possible that the trial indicates a new-found determination to stamp out the use of violence by the security apparatus. It is more likely, however, that, after a rapid cost-beneift analysis, General Jaruzelski came to the conclusion that this time a cover-up operation would exacerbate social tensions beyond an acceptable level and undermine his efforts to present himself to the West as a reasonable and relatively "liberal" leader.

More than three years after the imposition of martial law, General Jaruzelski's government seems to be making progress in normalizing its political and economic relations with the West. An agreement on the rescheduling of Poland's debts is in the making, the United States has lifted its objections to Poland's membership of the IMF, and representatives of several West European governments have either visited the country during the past few months or are planning to do so this year.

The government is having less success, however, in normalizing relations with its own citizens. The main objective of normalization is, of course, the reassertion of state-party (and, in Poland's case, military) control over society. As David Ost points out, normalization involves persuading people to abandon their aspirations for change. To this end General Jaruzelski has not only resorted to a wide range of repressive measures, but has also tried to convince his subjects that under his leadership change is indeed possible. Under the slogan of "renewal" the Jaruzelski government has implemented a broad program of institutional remodeling (reform would be too strong a word) and has even been prepared to flirt

with democratic forms (for example, the new electoral law and the powers accorded the new trade unions)—provided party-state controls remain intact.

The limits to any change that the authorities are prepared to tolerate are clearly illustrated in their latest moves in relation to higher education. The universities were allowed to play at democracy only as long as the decisions they reached were to the liking of the government. Now that it has become clear that the universities' vision of their calling is somewhat different from that of the government, they are to be deprived of the autonomy they gained under the new law on higher education.

Since December 1981, General Jaruzelski has been concerned to give his repressive measures the semblance of legality. Repressive measures have, therefore, been introduced in the form of laws passed by the Sejm (parliament). As Jolanta Strzelecka shows, however, even this normally "reliable" institution has not been immune to the aspirations for democracy expressed during the Solidarity period. To ensure the smooth passage of this legislation, the Polish authorities were obliged to violate all the formal procedures governing the legislative process. The formation, in the wake of Father Popieluszko's murder, of numerous independent committees to monitor the use of physical violence on the part of the security forces is just the latest indication of how far the government remains from its objective of persuading people to abandon these aspirations.

Despite the considerable number of books and articles on Solidarity that have appeared in the West, we still know relatively little about the functioning of this vast movement. It is with great pleasure, therefore, that we publish in this issue of *Poland Watch* Henry Norr's study of debates within the Solidarity leadership on the issue of self management. It is to be hoped that other studies will soon appear to add to our knowledge about the national and local activities of the union.

March 1985

THE MURDER OF FATHER POPIELUSZKO

On October 19, 1984, Father Jerzy Popiełuszko was abducted and murdered by three officials of Poland's security forces. Father Popiełuszko was one of the most well-known and popular of the country's many priests and for many months the target of a sustained campaign of criticism and harassment on the part of the Polish authorities. His popularity was based on the fact that he continued to speak out publicly in defense of the ideals of Solidarity and offered moral support and practical assistance to the victims of persecution.

Father Popiełuszko's involvement with the workers of Warsaw dated back to the strike of August 1980 when he went, at Cardinal Wyszyński's request, to celebrate mass for the workers of the Warsaw Steelworks. Since 1978 he had been chaplain to Warsaw's medical community and in 1982 celebrated mass during a strike at the Medical Academy. Following the imposition of martial law, Father Popiełuszko was active in providing aid to the families of prisoners and internees and also attended many political trials. He was best known, though, for the "masses for the homeland" that he celebrated on the last Sunday of each month in the Church of Stanisław Kostka. These services were attended regularly by thousands of people, many of them from outside Warsaw, and Father Popiełuszko's sermons were widely reprinted in the underground press.

It was these sermons that earned Father Popiełuszko the respect of so many Poles and the enmity of the authorities. The following extracts from a sermon delivered in November 1983 typify his outspokeness:

> Let us remember today the innocent deaths of the miners from Wujek, the deaths of our brothers from Lubin, Nowa Huta and elsewhere, the cruelty of the crime committed against Grzegorz Przemyk. Let us remember our many brothers and sisters who have been beaten and whose dignity has been trampled on. Let us remember the internment camps scattered all across Polish soil; the tears of mothers, fathers, children, wives, and husbands; the leaders of Solidarity and the Workers' Defense Committee imprisoned without trial for two years now. . . . Let us remember those thrown out of work and concerned about the material situation of their families; the young people forced to remove crosses from the walls of their schools, crosses that are the symbol of faith. Let us remember the teachers who have been dismissed from their jobs because they want to teach young people the healthy principles of patriotism. Let us remember the use

> of the mass media to disseminate mendacious slanders about people who enjoy the respect of society; the lines of people in front of stores with ration cards in their hands that debase human dignity; the paid informers. . . .[1]

During 1982 and 1983 the authorities intervened constantly in the attempt to persuade the Church hierarchy to clamp down on Father Popiełuszko and other "extremist priests." Eventually, they decided that more decisive action was called for, and on December 12, 1983, Father Popiełuszko was summoned to the Warsaw Regional Prosecutor's Office. There he was told that he was under investigation on charges of abusing religious freedom. During the course of the interrogation, Father Popiełuszko was taken to an apartment that he owned but in which he had not been living for some time. A search of the apartment yielded startling "evidence" of his alleged subversive activities: gas cannisters, explosives, several rounds of ammunition, over 15,000 copies of underground publications, and leaflets calling for an armed uprising on December 13 and 16.[2] This allowed new charges to be brought against him, carrying a sentence of up to twelve years' imprisonment. Father Popiełuszko was detained overnight and released the next day only after the intervention of Archbishop Dąbrowski. The following Sunday, Father Popiełuszko informed his congregation of his detention and the charges against him, stated that the apartment had been given him by an aunt, and declared that the objects found there clearly constituted a provocation.[3]

During the continuing investigation, Father Popiełuszko was summoned frequently for interrogation. At the same time, he was subject to harassment of another sort: he received telephone threats against his life; bricks were thrown through his window (on one occasion accompanied by explosives); his apartment was ransacked on at least two occasions; and he was kept under constant surveillance by the Security Service.[4] As a result, he rarely went out alone, and workers from his parish and elsewhere organized a campaign of "protective surveillance."

On July 14 it was announced that the indictment against Father Popiełuszko had been handed to the Warsaw Regional Court. He was charged with abusing freedom of conscience and religion to the detriment of the Polish People's Republic; with storing, with intent to distribute, various illegal publications which slandered the state authorities; and with possession of ammunition and explosives. (It was worth noting that the indictment even tried to present Father Popiełuszko's openness about the proceedings against him and the support his congregation gave him as a crime. He was accused of utilizing his frequent interrogations "to provoke social unrest." According to the indictment, "During church services he announced that he had been summoned to the Warsaw Internal Affairs Bureau, which meant that he was accompanied to every

interrogation by a group of people who waited for him and who demonstratively disturbed the peace, causing a crowd to gather outside the building."[5])

Although the charges against Father Popiełuszko were formally dropped under the terms of the July amnesty, the press campaign against him continued. Additional impetus was provided by the release of the Solidarity and KOR leaders, many of whom took part in church services at which they publicly expressed their thanks for the support given them during their imprisonment. This led to accusations in the press that opposition activists were using churches as a forum for political speeches; in this they were assisted by some priests, including Father Popiełuszko. At the beginning of September, government spokesman Jerzy Urban declared that Father Popiełuszko and other priests "continue to transform religious services into political rallies, trying to inflame emotions."[6] Urban followed this up with a longer attack in an article published under his pseudonym of Jan Rem and devoted entirely to criticism of Father Popiełuszko, referring to the priest as a "political fanatic" bent on inciting hatred "toward communists, toward the authorities, toward everything that is post-war Poland."[7]

It was in this atmosphere that his murder took place.

The Murder

The bare facts of the murder, as they emerged from the subsequent trial, are as follows. On Friday, October 19, Captain Grzegorz Piotrowski, 33, head of a section in the Ministry of Internal Affairs concerned with monitoring Church activities, and Lieutenants Waldemar Chmielewski, 29, and Leszek Pękala, 32, both employed under him, went to Bydgoszcz where Father Popiełuszko had gone to take part in a church service. When Father Popiełuszko and his driver, Waldemar Chrostowski, left at about 10 p.m. for the return journey to Warsaw, Piotrowski and his associates followed and on a lonely stretch of road near the village of Przysiek stopped their car. With Chmielewski dressed in the uniform of a traffic policeman, Chrostowski was told that he must take a sobriety test. On this pretext, he was taken to Piotrowski's car where he was gagged and handcuffed. Father Popiełuszko was then forced, protesting, from his car, beaten unconscious, gagged and, with his hands tied, thrown into the trunk of Piotrowski's car. Piotrowski and his accomplices then drove off. Chrostowski sat in the front seat with Piotrowski holding a revolver to his head from the back seat. Nevertheless, as the car approached Przysiek, Chrostowski managed to open the door and jump out. Piotrowski and the others made no attempt to chase him and continued their journey. Badly bruised, Chrostowski ran to a nearby building and raised the alarm.

Piotrowski and his colleages then drove to Toruń, where they

noticed that Father Popiełuszko was trying to force open the trunk. They stopped at a parking lot and inadvertently opened the trunk from inside the car, enabling Father Popiełuszko to run off calling for help. He was caught by Piotrowski who again beat him unconscious. Chmielewski and Pękala tied him up more securely, this time his hands behind his back, and redeposited him in the trunk. From Toruń they drove toward Włocławek. Father Popiełuszko again regained consciousness and renewed his efforts to open the trunk. Piotrowski and the others then drove to a nearby wood, dragged the priest from the car, laid him on the ground, and Piotrowski again beat him until he lost consciousness. Chmielewski and Pękala stuffed Father Popiełuszko's mouth with gauze, which they secured by means of sticking plaster wound several times round his head. At this point they also secured his bonds; a sack weighted with stones was tied to his feet and around his neck they put a noose, the end of which was attached to his ankles. This meant that if Father Popiełuszko tried to straighten his legs, he would automatically strangle himself. The three then drove to a nearby reservoir where they threw Father Popiełuszko into the water.

Piotrowski and his associates had made a previous, unsuccessful attempt to abduct Father Popiełuszko on October 13 when he was driving from Gdańsk to Warsaw with Chrostowski and Seweryn Jaworski.[8] Piotrowski tried to cause a car accident by throwing a large stone through the windshield of Father Popiełuszko's car. The attempt failed when Chrostowski saw Piotrowski and turned the car sharply towards him, causing Piotrowski to lose his balance and miss his target.

Official Reaction

Father Popiełuszko was by no means the first person to die at the hands of Poland's security forces since the imposition of martial law. The official reaction to his death has been, however, very different from the reaction to previous victims. While other deaths have gone largely unreported in the media, and official investigations have exonerated those responsible, failed to establish their identity, or concluded that death was "accidental," Father Popiełuszko's murderers were not only apprehended but the investigation and following trial were conducted in a blaze of publicity. Numerous commentaries in the press and statements issued by official bodies attempted to convince the public of three things: that no effort was being spared to identify the perpetrators and bring them to justice; that this was an isolated incident alien to the norms of "socialist legality" and the normal work methods of the security forces; and that, above all, it was a deliberate attempt to discredit the Jaruzelski government.

From the very beginning, even before a single arrest had been

made or Father Popiełuszko's body found, the leadership presented his abduction as a provocation aimed primarily, not at the Church or the opposition, but at the government and its policy of "renewal." Speaking at a press conference on October 23, government spokesman Jerzy Urban declared: "Regardless of who committed this act, it was intended to strike a blow at the positive processes taking place in Poland. For example, it was meant to cast a shadow over the normalization of relations with some western countries. It is an act directed against the process of renewal and it is presumably aimed at Church-state relations."[9] Announcing on television the arrest of Piotrowski and his associates, the Minister of Internal Affairs, General Czesław Kiszczak, argued that the provocation theory was borne out by the fact that the men had left a trail of evidence pointing to the involvement of the security forces. (A police badge had been left at the scene of the abduction and police handcuffs had been used on Chrostowski.) "This means," he said, "that their actions can only by interpreted as a conscious and well-organized provocation."[10] A statement issued by the national leadership of the PRON declared that the abduction "was intended to create the impression that instead of entering into the dialogue they have proposed, the authorities are aiming to liquidate their political opponents."[11]

Official arguments concerning the provocatory nature of the attack on Father Popiełuszko were accompanied by statements about the possibility that others, apart from Piotrowski and his colleagues, might be involved. Kiszczak told the public that "an intensive investigation" was underway to determine if anyone else had instigated the crime or tried to cover it up. The truth, he said, would be revealed, "no matter how painful it might be."[12] To date, only one other person has been directly implicated in the plot. On November 2 Colonel Adam Pietruszka, deputy director of the department in which Piotrowski was employed and his immediate superior, was arrested and subsequently charged with assisting the killers of Father Popiełuszko. On the same day, Pietruszka's superior, General Zenon Płatek, was suspended from his professional duties for failing to exercise adequate supervision over his subordinates, and an official of the Warsaw Internal Affairs Office, Leszek Wolski, was detained on the grounds that he might have had prior information about Piotrowski's plans. Wolski has not been charged with involvement in the crime, although he, too, has been suspended.

Following the arrest of Piotrowski and his colleagues, Kiszczak himself took charge of the investigation, perhaps to give credence to the authorities' professed determination to get to the bottom of the case. The leadership's apparent concern about the situation was underlined by Jaruzelski's appeal to the PUWP Central Committee "to condemn this serious criminal act." This the Committee did in a statement declaring that "subversion, provo-

cation, and terror have always been and are alien to Leninist ideology and the morality of our party." The Central Committee, the statement continued, "decisively rejects and condemns all lawless acts and methods. . . ." At the same time, the Committee expressed its "complete confidence in the Ministry of Internal Affairs and its devoted, self-sacrificing cadres led by . . . Comrade Czesław Kiszczak." The police and Security Service, said the Committee, "are completely deserving of the public's respect and confidence. This general assessment is not altered by the existence of a few criminals and provocateurs . . ."[13]

In a similar attempt to protect the good name of the security forces, Kiszczak declared that the crime which had shocked the whole country had been particularly painful for employees of the security apparatus. It would be "naive," he said, to imagine that there were no people in the security forces "susceptible to demoralization." The ministry was well aware of this and the appropriate measures had been taken. Kiszczak then revealed that during the past two years, 2,464 officials had been dismissed from the police and Security Service; of these, 872 had come before the courts. Nevertheless, he continued, the security apparatus "has shown sufficiently often that it acts honestly, effectively, and unstintingly to ensure the security of the state and to protect the life, health, and property of its citizens."[14]

General Jaruzelski's decision to hold the trial has earned him considerable praise from many western observers. It seems likely, however, that the Polish leadership realized that Father Popiełuszko's murder presented them with a potentially explosive situation which also threatened to damage the country's gradually improving relations with the West. Father Popiełuszko was too well known for his death to go unnoticed. In addition, there was a witness—Chrostowski—who could provide a description of the perpetrators. In these circumstances, Jaruzelski probably calculated that the advantages of a trial outweighed the disadvantages of publicly admitting the responsibility of security officials. If the murder of Father Popiełuszko could be presented as an isolated event, rather than as part of a broader pattern of physical violence on the part of the security apparatus, then a trial could present an excellent opportunity for a public relations exercise, allowing the authorities to present themselves as the guardians of law and order.

As the trial unfolded, it became clear that the authorities had also decided to use it as a forum for criticism of those priests whose sermons, like those of Father Popiełuszko, they considered too political. In this they appear to have miscalculated; the heavy-handed attacks on Father Popiełuszko and others served only to undermine the credibility of the proceedings as a whole.

The Trial

Before discussing the trial, it should be pointed out that the following account is based almost entirely on Polish sources that have been subject to censorship: Polish Press Agency reports, Polish radio broadcasts monitored and transcribed by FBIS, accounts published in *Polityka*, and the lengthy reports compiled by the Polish Episcopate's observer at the trial, Jacek Ambroziak, published in the Catholic weekly, *Tygodnik Powszechny*.[15] Probably no other recent trial has received so much, or such detailed, coverage anywhere in the world. Not surprisingly, however, accounts of the proceedings differ considerably in their emphasis. PAP and the Polish radio give great prominence to the numerous accusations made against Father Popiełuszko and other members of the Church during the trial and report only a fraction of the closing speeches made by the attorneys appearing on behalf of the Popiełuszko family. *Tygodnik Powszechny*, which provides by far the most comprehensive coverage, publishes these speeches in full (except for deletions made by the censors) and reveals far more about the frequent clashes between these attorneys and the presiding judge and public prosecuter. *Tygodnik Powszechny* marks seventy interventions by the censor in twenty-five pages of reporting on the trial. According to the independent weekly, *Tygodnik Mazowsze*, the censors were particularly concerned to eliminate details about procedures within the Ministry of Internal Affairs and to curtail reporting of what went on in the ministry before and after the murder of Father Popiełuszko.[16]

The trial opened on December 27 before the Voivodship Court in Toruń. The case was presided over by two judges and three lay assessors. The two public prosecutors were Zygmunt Kołacki from Toruń and Leszek Pietrasiński from the General Prosecutor's Office in Warsaw. Four well-known attorneys—Jan Olszewski, Andrzej Grabiński, Edward Wende, and Krzysztof Piesiewicz—took part in the proceedings as "auxiliary prosecutors" on behalf of Father Popiełuszko's family and Waldemar Chrostowski. According to *Tygodnik Mazowsze*, apart from representatives of the press, including six western correspondents, most of the ninety or so people who attended the trial were security officials. Elaborate security precautions were in effect in and around the court building. A pass was needed to enter the building, bullet-proof windows were installed in the court room (which also prevented filming from outside), an anti-terrorist brigade was on duty at all times, a water cannon stood outside, and all the surrounding streets were cordoned off.[17]

Piotrowski, Chmielewski, and Pękala were indicted on three counts: abducting, with intent to kill, Father Popiełuszko and

killing him; abducting Chrostowski with intent to kill him; and attempting, on October 13, to kill Father Popiełuszko, Chrostowski, and Seweryn Jaworski while the three were driving from Gdańsk to Warsaw. Pietruszka was charged with instigating the crime and with aiding his subordinates by, among other things, supplying them with a special pass which allowed them to travel freely outside Warsaw and exempted them from police searches along the road, and with attempting to cover up their involvement in the crime during the subsequent investigation.

The questioning of the prosecution was largely concerned with establishing three things: that the accused had set out with the intent to kill Father Popiełuszko; that Pietruszka, but no one else from the Ministry of Internal Affairs, had been involved in planning the killing and attempting to cover up for Piotrowski and the others; and . . . that Father Popiełuszko and a number of other priests had engaged in illegal political activity.

All the accused admitted that they had killed Father Popiełuszko, but denied that they had ever intended to do so, claiming that his death had been an "accident." Nevertheless, their testimony on this subject was highly inconsistent and contradictory. According to Pękala, who was the first of the four to testify, they had abducted Father Popiełuszko in order to frighten him into giving them information about the activities of underground Solidarity, to extract from him a promise that he would seek a transfer to another parish and cease all political activity, and to compromise him in the eyes of opposition activists. This last was to be achieved by subsequently making it known that Father Popiełuszko had given away information about the underground. The three also discussed the possibility of blackmailing Father Popiełuszko. Whether blackmail or sheer terror were to be used, it was decided that they should abduct the priest and take him to a war-time Nazi bunker in the Kampinoska Forest; there he was to be tied up and eventually abandoned in a hole in the ground. (They also discussed the possibility of tying him to a tree, burying him up to the neck, or getting him drunk.) Pękala stated that after abandoning Father Popiełuszko they intended to alert the Warsaw Curia as to his whereabouts.

All three admitted that they had discussed the eventual death of Father Popiełuszko, but "only" in the event that he might die from a heart attack as the result of their actions. They had therefore discussed how to get rid of Father Popiełuszko's body by either drowning or burying it. With this in mind, said Chmielewski, they had visited a bridge over the Vistula prior to the Gdańsk attempt in search of a suitable spot to get rid of the body. (Pękala claimed they were thinking only of threatening Father Popiełuszko with being thrown in the river, while Piotrowski asserted that he was looking for a place to get rid of any items used in the abduction.)

Under cross-questioning, however, Pękala admitted that on the way to Gdańsk they had discussed the possibility of Piotrowski shooting Father Popiełuszko after the car accident that they intended to cause. Pękala also stated that there were two "variants" of the planned Bydgoszcz attack: one of these involved taking Father Popiełuszko to the bunker, the other—throwing both him and Chrostowski into the Vistula. Piotrowski was to choose one of these "depending on how the situation developed." This Piotrowski strenuously denied. He had decided to throw Father Popiełuszko into the reservoir only when he became convinced that the priest was already dead. This occurred on the road out of Toruń when, he claimed, he peered into the trunk of the car through a gap behind the back seat, saw Father Popiełuszko's face and immediately concluded that he could only be dead. Both Pękala and Chmielewski claimed that at this point they argued in favor of simply abandoning Father Popiełuszko but were overruled by Piotrowski.

As far as Chrostowski was concerned, the three claimed that they intended to detain him so he could not raise the alarm but that they would have freed him within a short time. According to Chmielewski, they had not given much thought to the problem. Nevertheless, under cross-questioning Chmielewski stated that on the way to Bydgoszcz they had discussed the "possibility" that Chrostowski might die as a result of their efforts to "subdue" him.

The prosecution did not find any of this convincing, arguing that all the plans and preparations the three had made pointed to their intention to kill Father Popiełuszko. First, even if they had abandoned him in the forest, it was most unlikely that he would have survived, bound and gagged, in the open in mid-October. Second, why, if Father Popiełuszko's death was not the purpose, had they taken with them to Bydgoszcz two sacks full of stones, two thick sticks, and shovels and spades? Moreover, although Piotrowski had obtained some ether to subdue Father Popiełuszko and had a tape recorder on which he was supposedly going to record his "discussion" with him, neither of these items was taken on the Bydgoszcz trip. None of the items that the three took with them had anything to do with keeping Father Popiełuszko alive, and they had not thought of providing any food or drink for him. Third, the way in which they had "subdued" Father Popiełuszko, beating him unconscious and throwing him in the trunk of the car, did not suggest any concern for his well-being. Surely, the prosecution argued, three men could have threatened Father Popiełuszko sufficiently to persuade him to sit quietly in the back of the car. (Piotrowski argued that this was their original intention but at the last minute he though Chrostowski might try to jolt the steering wheel in order to cause an accident so that they could escape. At another point he claimed that they had simply panicked when they saw an approaching car.) Finally, the prosecution pointed out,

although they discussed what to do in the event of Father Popiełuszko's death, they had not discussed how to avoid bringing this about. It should be added that the three apparently assumed that Father Popiełuszko had died but did not bother to check before they threw him into the reservoir.

Undoubtedly the most important questions before the court were, first, exactly who was involved in the decision to attack Father Popiełuszko—who took the decision, approved it, and/or had knowledge of it, and, second, what were the motives? Was it, as the authorities argued, a conscious political provocation aimed at the Jaruzelski government? It cannot be said that the trial provided any conclusive answers to these questions.

Both Pękala and Chmielewski testified that Piotrowski had given them to understand that the abduction of Father Popiełuszko, even if it led to his death, had the approval of people higer up in the ministry. Early in October, said Pękala, Piotrowski asked him if he would be willing to take part in "a dangerous undertaking." After Pękala had given his provisional agreement Piotrowski called in Chmielewski and told them that they were to abduct Father Popiełuszko and that the plan had been approved by his superiors. Piotrowski was to be answerable to those higher up (*góra*), while Pękala and Chmielewski were to be in charge of preparations for the attack. Piotrowski mentioned Pietruszka's name frequently when the three were planning the abduction and even tried to phone him on one occasion in order to check with him the likely situation in the event of Father Popiełuszko's death. Both Pękala and Chmielewski assumed, however, that others above Pietruszka knew about and approved of their plans. It was on this crucial question that both of them retracted statements they had made during the pre-trial investigation. During the investigation they both asserted that Piotrowski had specifically mentioned the name of Deputy Minister Władysław Ciastoń. In court, however, Pękala said that he had misinterpreted a reference to Ciastoń that Piotrowski had made and that his name had been mentioned in connection with a completely separate matter. For his part, Chmielewski denied that Piotrowski had ever mentioned Ciastoń's name. This was after the attorney acting on behalf of Father Popiełuszko's mother asked the judge to read an extract from Chmielewski's pre-trial testimony which went as follows: "Piotrowski came back to the office very pleased that Pietruszka had had to get the whole business approved by Deputy Minister Ciastoń." According to *Tygodnik Mazowsze* (No. 113), the presiding judge, Artur Kujawa, broke into the proceedings to assert that Chmielewski must have made this up. (It should be noted that none of this was reported in the censored media.) In court Chmielewski and Pekala stated, to the prosecution's evident satisfaction, that they had obviously been mistaken in their assumption that anyone above Pietruszka was

involved in the crime. At no time had either of them asked Piotrowski for any information about exactly who had supposedly approved their plans.

Piotrowski, too, declared that he had assumed—he now realized, mistakenly—that someone superior to Pietruszka had knowledge of the affair. Pietruszka, however, had been involved at every stage of the proceedings. The idea had first emerged in September at a meeting between Pietruszka, Piotrowski, and Leszek Wolski from the Warsaw Internal Affairs Bureau, at which the three discussed the activity of Father Stanisław Małkowski and Father Popiełuszko. According to Piotrowski, Pietruszka became worked up at one point and said "Enough of this game. We should give them a jolt verging on a heart attack." He proposed that Father Małkowski be mugged and that the police arrange to find and charge the supposed perpetrator. Piotrowski argued that Father Popiełuszko should be the first victim because he was more important than Father Małkowski and because he took security precautions, rarely going out alone. An attack on Father Małkowski would only alert Father Popiełuszko and make it more difficult to get at him. With this the others agreed, and it was decided that Wolski would put Father Popiełuszko under surveillance in order to establish his daily routine. According to *Tygodnik Mazowsze* (113), Piotrowski then stated in court that at the end of the meeting Pietruszka had said: "I don't have to add, comrades, that this decision comes from a high, even the highest, level."

On September 25, Piotrowski continued, he, Wolski, and Pietruszka met with General Płatek to discuss "the five Warsaw priests who were violating the law." Pietruszka criticized Wolski for his lack of progress in relation to Father Popiełuszko, saying: "Stop making plans and get on with it." Again, *Tygodnik Mazowsze* adds a "detail" omitted from the censored press: Piotrowski stated that General Płatek "gave the impression that he knew what was going on."

According to Piotrowski, he had several further discussions with Pietruszka about Father Popiełuszko and Wolski's "lack of progress." Finally, Piotrowski proposed that they "do something about it" themselves, at which point he approached Pękala and Chmielewski. During all the ensuing preparations, said Piotrowski, he kept Pietruszka fully informed of their plans, and without Pietruszka's assistance, the action would not have been possible. In particular, Pietruszka provided them with a special pass exempting them from being searched by police road blocks. (On the return journey from Bydgoszcz they were stopped three times by local police without being searched.) Piotrowski also claimed that at one point in the preparations he voiced concern to Pietruszka about the possibility of being found out. Pietruszka assured him, he said, that he had nothing to worry about. After the event Pietruszka

warned Piotrowski that his car had been seen in Bydgoszcz and told him to change the number plates.

Jan Olszewski, one of the attorneys representing Father Popiełuszko's mother, argued that Piotrowski's actions could only be understood as those of a man either bent on suicide or convinced that he would be protected. For example, Piotrowski had made no effort to conceal the presence of himself and his colleagues in Bydgoszcz. There they went to the local internal affairs bureau to use the telephone and ask where they could buy gasoline. They sat outside the church waiting for Father Popiełuszko in their official car with Warsaw license plates. They then went off to change the plates for some they had stolen and resumed their vigil outside the church. They were so obvious that their presence was noted by the local police who were also keeping watch on the church. When Pękala told Piotrowski that the police had noticed them and that he had heard them taking down their number, Piotrowski was not at all concerned.

For his part, Pietruszka denied any involvement in the plot. He had not known of Piotrowski's intentions in going to Gdańsk and had given him a pass on the assumption that he was going on an entirely different errand. Piotrowski, he said, had a history of acting independently and this was clearly what he had done on this occasion. Pietruszka also denied giving Piotrowski a pass for his Bydgoszcz trip. After Piotrowski had told him that Father Popiełuszko was "perhaps floating in the Vistula," Pietruszka had not passed this information on to anyone else because he could not bring himself to take it seriously.

Pietruszka seemed to implicate his superior, General Płatek, when he stated that the general told him that Piotrowski's car had been seen in Bydgoszcz and that Pietruszka should "do something about it." Pietruszka interpreted this to mean he should change the number plates and told Piotrowski to do so. On the witness stand Płatek denied that this had been his intention, stating that he simply meant Pietruszka to investigate the matter. Asked why he had allowed his subordinate to remain on the team investigating Father Popiełuszko's death until November 2 when there was evidence to suggest his involvement, Płatek declared that it was inconceivable to him that Pietruszka could have had a hand in the matter.

With General Płatek's evidence, the question of the involvement of anyone else in the Ministry of Internal Affairs was neatly disposed of.

All the accused denied that the plot had been intended as a political provocation. Pękala and Chmielewski stated that they took part because Piotrowski asked them to. Asked about the police badge left at the scene of the abduction, Chmielewski denied that he had left it there deliberately to direct suspicion toward the

police. In his nervousness, he said, he had torn the badge from the borrowed police cap and had been unable to secure it firmly back in place.

In his closing speech, Prosecutor Leszek Pietrasiński argued that, regardless of the intention, the murder of Father Popiełuszko was "objectively" a political provocation aimed at the Jaruzelski government, because it provided fuel "for the inflammatory and destructive propaganda campaign being waged by the most reactionary forces, directed toward the destabilization of Poland's domestic and international situation." "We can only speculate," Pietrasiński continued, "as to the subsequent scenario concerning the way in which the instigators intended to utilize the results of this provocation." The trial had neither revealed nor ruled out the existence of "instigators." Perhaps, declared Pietrasiński, "the people at the top" referred to by the accused were simply a figment of their imagination, but perhaps they did exist. In any event, the trial had revealed that no one else in the Ministry of Internal Affairs had been involved in the crime. He then stated that an investigation into the possible existence of "instigators" was continuing under the supervision of the Voivodship Prosecutor's Office in Warsaw.

Attorney Jan Olszewski also addressed the provocation issue in his closing speech. He argued that, indeed, Piotrowski and his associates had intended to escalate social tensions and repression. By leaving evidence pointing to the involvement of the police, they hoped to persuade the opposition that the security forces had gone over to illegal methods and to provoke it into retaliation. They also hoped to persuade the security forces that the abduction had been carried out by the opposition, perhaps with the connivance of Father Popiełuszko himself, and that it was trying to implicate them. All this was intended to "set in motion a spiral of repression and resistance."

Father Popiełuszko on Trial

For much of the proceedings it seemed as if it was not Piotrowski and his associates who were on trial but rather Father Popiełuszko and other members of the Church. On numerous occasions, Judge Artur Kujawa, ably assisted by the prosecution, Piotrowski, and others, found reason to introduce "evidence" that amounted to a sustained attack on Father Popiełuszko. Throughout the trial, Father Popiełuszko was referred as "guilty" of various kinds of "anti-state activity," despite the fact that his guilt had never been proven in court. In addition, attempts were made to cast doubts on Father Popiełuszko's personal integrity.

It was Piotrowski who opened this aspect of the proceedings when, during his first day's testimony, he outlined the reasons why he had decided to take action against Father Popiełuszko. Describing

the work of his department in the ministry, he effectively accused the priest of being in contact with "western centers of subversion" and "the special services of NATO countries." Moreover, Father Popiełuszko had not only abused the pulpit for political ends but had been involved in a scheme for training underground activists and integrating opposition groups in large factories—hence his frequent trips round the country. Finally, he had been involved in distributing illegal publications.

To all these transgressions, Piotrowski said, there had been no reaction from the Warsaw Curia, despite the fact that they had been documented by the ministry. Nor had Piotrowski received sufficient support from his own superiors. In May 1983, he said, he could have caught Father Popiełuszko "red-handed with a ton of illegal publications" but his "plans" were turned down by no less a person than the Minister, General Kiszczak, who declared: "No, no searches, no legal proceedings." (This was probably in view of the approaching Papal visit to Poland.) In December 1983 Father Popiełuszko had been arrested but released on the intervention of the Warsaw Curia after only one night in prison.

The last straw, said Piotrowski, was when he "discovered" that Father Popiełuszko had no intention of accepting the Pope's invitation to take up a scholarship in Rome. Piotrowski then decided that "extra-legal" measures were needed. He realized that such measures were in violation of the law but decided that they constituted "a lesser evil" than allowing Father Popiełuszko to continue his activities. "I am convinced," said Piotrowski, "that neither I nor Pękala nor Chmielewski would have found ourselves in the dock if the law had also been the law for Father Popiełuszko."

If these accusations had any impact at all on the public, they probably served only to strengthen Father Popiełuszko's popularity. This Piotrowski tried to undermine by accusing the priest of dishonesty and other conduct incompatible with his calling. Father Popiełuszko had lied, said Piotrowski, about receiving his apartment from an aunt; in reality, he had bought it, and this at a time of acute housing shortage and when he was living at the St. Stanisław presbytery. Moreover, he had been registered at the apartment as a teacher. Describing the various schemes to blackmail Father Popiełuszko, Piotrowski asserted that one of them hinged on the "fact" that the priest had appropriated over four million złoties from the Warsaw Solidarity underground. A second scheme hinged on an alleged love affair; in this case, Piotrowski would have pretended to be the irate husband. (According to Pietruszka, this idea was dropped out of "respect for the stability of marriage," after the woman in question married.)

The attack on Father Popiełuszko escalated during the second day of Piotrowski's testimony, when Judge Kujawa decided to read out some notes purportedly written by Father Popiełuszko, osten-

sibly to provide evidence as to Piotrowski's motives. These notes included an appeal for people to take part in mass at the Church of St. Stanisław Kostka (described by PAP as an appeal to take part in church services of "a clearly anti-state nature") and some notes critical of Cardinal Glemp. The auxiliary prosecutors objected strongly to this on the grounds that Father Popiełuszko had never been proven guilty of the charges against him, that there was no way of establishing that he was indeed the author of the documents quoted, and that, in any case, there was no need to produce such documents at this point in the proceedings. The judge and the public prosecutor did not agree, and the judge then read out a long statement that Piotrowski had made during the pre-trial investigation which repeated his charges against Father Popiełuszko.

After a break in the proceedings Piotrowski renewed his testimony by saying that he wished to make a further statement regarding his motives. He had misled the court, he said, by saying that he felt nothing but "professional coldness" toward Father Popiełuszko; in reality, he had been extremely bitter. Piotrowski then launched into a lengthy attack, not only on Father Popiełuszko but also on a number of leading Church figures. He accused Bishop Tokarzcuk of collaborating with the Gestapo, Bishop Gulbinowicz of concealing eighty million złoties stolen from Wrocław Solidarity funds just before the imposition of martial law,[18] and Father Jankowski of St. Brygida's Church in Gdańsk of directing street demonstrations from a radio transmitter in his church. In addition, the Church was excused from millions of złoties a year in back taxes and from import duties on cars and other "luxury items."

With hindsight it is difficult to resist the conclusion that Piotrowski's statement was far from spontaneous. It conveniently enabled Judge Kujawa to uphold his decision to include in the trial documents Father Popiełuszko's notes which he had read out earlier. It also set the tone for the remainder of the trial by broadening the attack on Father Popiełuszko to include other Church members.

The next pretext for an attack on Father Popiełuszko came on January 14, when Pietruszka asserted that the texts of his sermons had been analyzed by members of the Papal Theological Academy who had found them in violation of canon law. Pressed by attorney Jan Olszewski to reveal the names of those who had allegedly collaborated with the Security Service in this way, Pietruszka refused. At this point Judge Kujawa deemed it appropriate to read out a memorandum from the Office for Religious Affairs to the Episcopate, concerning "a counter-revolutionary organization of clergy and laymen," whose existence was allegedly revealed by Father Popiełuszko in a sermon delivered on August 26, 1984. As supporting evidence, Kujawa then read out the text of this sermon. When it failed to make any mention of the supposed orga-

nization, both Pietruszka and Kujawa asserted that the ministry must have had "additional information." (*Tygodnik Mazowsze*, 114)

On January 18 Piotrowski got into the act again with a request that the Ministry of Internal Affairs be asked to submit documentary proof of his accusations against Father Popiełuszko and others. The auxiliary prosecutors protested strongly. Attorney Edward Wende noted that Piotrowski was trying "to change the course of the trial and turn it into a trial of the Episcopate or its members." Andrzej Grabiński pointed out that any documents from the ministry would not constitute "proof" of anything; they were simply working documents. The judge finally ruled that only those documents relating to Father Popiełuszko would be solicited.

The next attack on outspoken priests came on January 22, when General Płatek was giving evidence. On the pretext of demonstrating that Płatek's department was not in the habit of abducting priests but attempted to deal with the Church through discussion and written communications, the public prosecutor asked Judge Kujawa to read out another memorandum from the Office for Religious Affairs. This memorandum (which took up one-third of PAP's report on the day's proceedings) again detailed the allegedly illegal activities of a number of priests.

The attack on Father Popiełuszko and others reached its culmination in Prosecutor Pietrasiński's closing speech. His basic message was that, although the actions of Piotrowski and the others could not be condoned, they had to be set against the background of persistent illegal activity on the part of Father Popiełuszko. Pietrasiński enumerated, yet again, the alleged crimes of Father Popiełuszko and went on to declare that the priest and his murderers had two things in common: they considered themselves above the law and they had acted against the political line of General Jaruzelski's government. Like Piotrowski, Father Popiełuszko had been opposed to the line of "conciliation and struggle," he was characterized by "hatred toward [it], and, above all, toward the socialist Polish state, its organs, its system, and the people who implemented or simply supported this line." He did not call for "conciliation or harmony, or for unity, forgiveness, or love of one's neighbor, but for struggle against the state. . . . He did not call for peace, order, or respect for the law, but—quite the opposite—he sowed hatred and abuse, derision and scorn, and he incited public disturbances. . . ."

Father Popiełuszko, Pietrasiński declared, "fell victim to the accused, who—as did he—consider themselves called on to undertake actions above the law. . . ." Both of them adopted similarly "extremist" positions. "The extremist activity and attitudes of Father Popiełuszko," said Pietrasiński, "gave birth to a no less harmful extremism, the outcome of which are the detestable crimes which are now subject to judgment." In other words, Father Popiełuszko had brought his fate upon himself.

Pietrasiński broadened his attack in a second speech, ostensibly in reply to the arguments presented by the defense attorneys. In fact, he spent most of his time refuting statements made by the auxiliary prosecutors and took the opportunity to remind the court—and the public—at some length that during the 18th and 19th centuries the Church had openly sided with the partitioning powers against the Polish people—an exercise that had nothing at all to do with establishing the guilt of Piotrowski and his associates.

Here it should be noted that the trial was accompanied by numerous articles in the press critical of priests who allegedly concerned themselves with politics. The press also seized the opportunity to give prominent publicity to two court cases involving priests—one of them accused of murdering another priest and the other (a former priest) accused of the attempted murder of an eleven-year-old girl who, he maintained, was his natural daughter. (*Trybuna Ludu* ran these stories for several days next to its reports on the trial.)

The Conduct of the Trial

The attack on Father Popiełuszko was not the only sign of political bias in the proceedings. The trial was also marked by considerable hostility on the part of the Judge Kujawa and the public prosecutors toward the attorneys acting on behalf of Father Popiełuszko's family and Waldemar Chrostowski. They were not given access to the transcripts of the proceedings until the trial had been underway for two weeks and they were deprived of their stenographer on the pretext that she had misheard the words of one of the accused. Judge Kujawa repeatedly disallowed their questions to witnesses from the Ministry of Internal Affairs, and when they wanted to call another witness from police headquarters, Pietrasiński objected on the grounds that they wanted to find out about "certain structures" within the security forces and that "it is not clear whom this is supposed to benefit."

The prosecution also displayed hostility toward witnesses from outside the ministry. In particular, it tried to undermine the credibility of its chief witness, Waldemar Chrostowski, by bringing up the fact that he had previously been convicted of assaulting a police officer. A similar attempt was made to cast doubt on the credibility of Seweryn Jaworski, while Father Jerzy Osiński, the priest whose church Father Popiełuszko had visited in Bydgoszcz, was questioned about the presence in his church of Solidarity activists Jan Rulewski and Antoni Tokarczuk.

Witnesses from the ministry, on the other hand, were treated extremely gently. This was particularly true of General Płatek, whose testimony was in many places vague and confused. For example, Płatek contradicted two of his employees, who testified that they had called him from Toruń on the night of October 20 to tell him that what appeared to be the same car had been seen

outside the church in Bydgoszcz—first with a Warsaw registration (WAB 6031) and then with another number. According to Płatek, they had given him, not the complete Warsaw registration but only the letters. Nevertheless, the next morning he noticed a car with the registration WAB 6031 in the ministry parking lot and it was then that he instructed Pietruszka to "do something about it." The auxiliary prosecutors tried, without success, to clarify why, if Płatek did not have the full registration of the Warsaw car seen in Bydgoszcz, he paid attention to the car outside the ministry, and why, having noticed it, he took so long to identify it formally as the car used in the abduction. Testimony from Chmielewski that seemed to implicate Płatek was not followed up at all. Chmielewski stated that during the Gdańsk attempt, Piotrowski radioed to Warsaw and was answered by General Płatek, who said: "You're talking to the wrong person, but there's no news for you." (This was reported only in the underground press accounts of the proceedings.) Płatek was not even asked about this by any of the prosecutors.

There were many other loose ends that were passed over by the prosecution. For example, Piotrowski apparently made a telephone call to Warsaw from the Bydgoszcz Internal Affairs Bureau, and before leaving for Bydgoszcz, he asked his secretary to call a number in the ministry to see if there was "any news" for him. No questions were asked about who was called on these two occasions.

Finally, it should be noted that the frequent adjournments in the proceedings at least made it possible for Judge Kujawa to consult with Warsaw on the course of the trial. That this was indeed the case is suggested by *Tygodnik Mazowsze* (115), which reports that one such adjournment originally scheduled for half-an-hour stretched into three hours because the telephone lines had broken down.

The Security Apparatus at Work

The functioning of the Polish security forces has traditionally been surrounded by secrecy. It cannot be said that the trial produced any great revelations on this score but it did afford a limited glimpse of the work methods and mentality of the security apparatus, all of which confirmed the negative stereotype held by the majority of the public. This aspect of the trial was of interest not so much because of the substance of the facts which came to light as because this was the first time that any such information had been provided.

The trial had made it clear—although it was not actually stated—that both the Ministry of Internal Affairs and the local bureaus have departments concerned with monitoring Church activities and that the security forces have identified a number of "troublesome" priests whom they watch particularly closely. It was also made clear that the security forces have at their disposal a network of

informers who have infiltrated Church circles; Piotrowski, for example, had contacts who kept him informed of Father Popiełuszko's movements.

The proceedings revealed that "dirty tricks" are standard practice within the security apparatus. Apart from the numerous proposals about how to deal with Father Popiełuszko, which included blackmail and physical violence, the court also heard about an attempt to set fire to Chrostowski's apartment, a plan—later abandoned—to destroy the car that Father Popiełuszko frequently borrowed so that he would be heavily in debt to the owner, and a plan—also abandoned—to induce Father Popiełuszko to get rid of Chrostowski by stealing some items from the priest's apartment and making it appear that Chrostowski was the culprit.

There is no reason to assume that the accused were atypical employees of the security apparatus. (It should be noted that both Piotrowski and Chmielewski have fathers who are also employed in the security forces and all four of the accused have received awards for their exemplary service.) Their testimony revealed considerable cynicism regarding the law and order that they are supposed to uphold. For example, under cross-questioning Pękala admitted that he realized that the abduction of Father Popiełuszko was illegal but agreed to get involved because he thought it might be beneficial for his future career. Neither he nor the others had any difficulty in believing that such an action had been sanctioned by people higher up in the ministry, clearly indicating that it was by no means out of the ordinary. Indeed, after the three had dumped Father Popiełuszko's body in the reservoir, Piotrowski reassured Pękala, who expressed anxiety about being found out, that there had been a similar case in the past and nothing had happened to those responsible.

Not only were the three willing to engage in illegal activities, but they were not averse to enriching themselves at the same time. This was suggested by Chmielewski who stated that, during discussions of what to do with Father Popiełuszko's car if they managed to cause an accident during his return from Gdańsk, Pękala objected to burning it and suggested that they should somehow remove it and sell various bits as spare parts. Piotrowski is currently under investigation on charges of having helped someone obtain a passport in exchange for repair work on his car.

Piotrowski's secretary, Barbara Story, also provided unwitting evidence of Security Service ethics. Story testified that on October 22 Piotrowski asked her to call police headquarters from a public phone booth. She was to give them false information to the effect that she had been in the Toruń region on the evening of the 19th and had noticed a car with a Warsaw registration containing three passengers answering the police description. She was then to give them the (false) registration number. Asked why she agreed to

pass on false information to the police, Story replied that she took Piotrowski's request to be an order and she assumed that he simply wished to transmit information to the police.

Some of the most revealing insights into the functioning of the security apparatus were provided by Lieutenants Stanisław Luliński and Wacław Głowacki, who were dispatched to Toruń on October 20 by General Płatek. In Toruń they were informed by local police about the car with two registrations. Luliński immediately recognized the WAB registration as belonging to the ministry—but he did not inform his colleague. He persuaded Głowacki, though, that the matter could be important, and at 11:30 p.m. the latter called General Płatek to give him the information. When the two men came to write a report on their findings in Toruń, they did not include what would seem to have been the most important piece of information, namely the car registration numbers. In court they maintained that this was because they had already given the information to Płatek and the report was intended to convey only the general situation without the "details."

In a similar vein, Płatek testified that after a meeting to assess the status of the investigation on October 22, he was approached by one of the participants, a Lieutenant Jabłoński from police headquarters, who wished to speak to him privately about something important. Jabłoński then told Płatek that a ministry car had definitely been seen in Bydgoszcz on the day of Father Popiełuszko's appearance.

These two incidents raise a number of intriguing questions. Why was the information about the car belonging to the ministry not put in writing? Why did Luliński not tell Głowacki that he recognized the registration number? Why did Jabłoński not produce his information at the meeting but give it to Płatek in private? It is likely, as *Tygodnik Mazowsze* suggests, that: "they evidently did not know what was wanted of them: the truth or a cover-up of the crime. So they generally delayed revealing what they knew. Similarly, officials taking part in the investigation behaved in such a way that it would have been possible to cover up the affair at any point. They transmitted essential information verbally to their immediate superior, nothing was put in writing, and no one was interested in what was done with this information."[19]

The Aftermath of the Trial

Not surprisingly, the Polish authorities have presented the trial as a victory for socialist legality and evidence that the law applies equally to all.[20] However, the fact that justice has apparently been done in relation to the security forces has provided the authorities with an excuse to crack down on "illegal" activity within the Church and oppositions groups. As far as the Church is concerned, this has taken the form of increased threats of legal action against

priests whose sermons allegedly violate the law. On February 9 the Minister for Religious Affairs, Adam Łopatka, gave an interview to the Swedish paper *Dagens Nyheter* in which he declared that it had been a mistake to release Father Popiełuszko from custody in December 1983. In future, said Łopatka, the law would be strictly applied to any priest whose sermons violated the law.[21] At a press conference a few days later Jerzy Urban quoted extensively from sermons delivered by a number of priests and informed his audience that the full texts were currently being examined to see whether they contained illegal material.[22] Writing under his pen name, Jan Rem, Urban also suggested that it might be necessary to change the law in order to protect the interests of non-believers.[23] The Polish press has continued to publish numerous articles critical of the Church as well as news items presenting the Church authorities in a negative light. Asked about this at a press conference, Urban denied that there was a campaign against the Church. Interest in the Church had increased, said Urban, since Father Popiełuszko's murder, and as a result, "certain issues have ceased to be taboo."[24]

The Church, however, apparently considers that there is a campaign against it and has registered a strong protest. Although the Episcopate declined to comment on Piotrowski's allegations against Father Popiełuszko and other Church members on the grounds that they were made by someone who did not bear legal responsibility for lying because he was on trial,[25] it did protest against media reporting of the trial. In a letter to the Chairman of the State Committee for Radio and Television the Episcopate noted the "tendentious" coverage of the trial which gave undue prominence to statements critical of the Church. The fact that a radio report had mentioned the names of members of the Episcopate slandered by Piotrowski was in clear violation of the new press law. Another example of the manipulation of information was the omission of those passages in the closing speeches of the auxiliary prosecutors which defended Father Popiełuszko and the Church. "This way of informing public opinion about the trial," the letter continued, "has the effect that the ignominious murder of Father Popiełuszko is becoming a secondary issue." The letter concluded with the observation that, "in view of the fact that the mass media in Poland constitute a state monopoly, the conclusion comes to mind that someone has a particular wish to undermine relations between the state and the Church."[26]

This letter was followed, on February 15, by a statement issued by the Polish Bishops' Conference which did not confine its criticism to reporting of the trial. After noting that the trial had been a positive step, the bishops went on to observe:

> Unfortunately, the conduct of the trial gave rise to many misgivings. During the trial there were attempts to

discredit the Church, its bishops, and priests. These attacks were not limited to the irresponsible assertions of the accused; the state prosecutor attempted to equate the victim of the crime with the act of murder. The mass media gave a tendentious account of the proceedings. If we add to this other published material hostile to the Church in a quantity unseen for many years, we cannot avoid the impression that we have here a deliberate propaganda campaign, which, on the pretext of condemning so-called extra-religious activity on the part of priests, is designed to undermine Church-state relations.

These efforts do not serve the cause of dialogue and social reconciliation . . . and do nothing to strengthen social peace in our country. In the name of our nation's welfare, we expect this activity to cease.[27]

The Church has also come to the defense of Father Popiełuszko and other priests under attack from the authorities. The bishops' statement pointed out that, while the Church had no wish to interfere in the government of any state, it had the right to give its moral assessment of political issues. "In fulfilling its mission of love, the Church always has the duty to fight evil, and a special duty to do this when evil reveals itself in public life."[28] In sermons delivered in Gniezno on February 3, Cardinal Glemp noted that Father Popiełuszko's pastoral activities had been deemed politically improper by the Polish authorities, but he had never called for hatred. While priests should not engage in political activity as such, said the Primate, they can speak out about evil and injustice and they can defend those who have been humiliated or wronged.[29] At a press conference held to discuss his impending visit to Britain, Cardinal Glemp declared that, although some priests had been accused of breaking the law, there was no evidence of any illegal activities on their part.[30]

Urban responded to these statements at a press conference on February 19. While the Polish authorities had great respect for the Church, they had a right to criticize negative phenomena within the Church. Since the Party and state authorities had engaged in "honest self-criticism of the errors and abuses" committed by some of their representatives in the past, they had the moral right to expect no less from other institutions, including the Church. Noting that representatives of the Church had stated their determination to defend priests, Urban asked whether this meant that the Church identified with all the sermons delivered from the pulpit. "If so," he said, "we have a serious problem."

Asked whether he had received many letters from parishioners in Przemyśl protesting against Piotrowski's charges that Bishop Tokarczuk had collaborated with the Gestapo, Urban declared that these protest letters were organized by local clergy who exerted

considerable pressure and threats in order to persuade people to sign them; for example, they were threatened with having their names read out in church or told that their children would not be allowed to take communion. It should be noted, said Urban, that collective protest actions in Poland have always been "far from spontaneous."[30]

Urban is, no doubt, well aware that the authorities are busy organizing a protest action of their own. *Tygodnik Mazowsze* reports that the first secretaries of the PUWP Voivodship Committees have been instructed to organize a campaign of letters from the faithful to their bishops protesting against the introduction of politics into church services. (Urban quoted some of these as evidence of the spontaneous outrage of many believers.) They have also been instructed to: publicize analyses of Father Popiełuszko's sermons to show that his murder was caused by his political, not pastoral, activity and thus to prevent his beautification; disseminate information about the arms "found" in Father Popiełuszko's apartment by the Security Service; emphasize the negative aspects of Church history—for example, the Inquisition; analyze all sermons delivered in their region and, if necessary, bring priests before misdemeanour courts; and examine all permits for church construction and put residents' self-management committees in the position of having to choose between the construction of a church or, for example, a nursery school.[31]

Unanswered Questions

The trial provided no conclusive answers to the question of who, apart from the four accused, might have been involved in the plot against Father Popiełuszko, and whether it was indeed intended as a political provocation aimed at the Jaruzelski government. It is, of course, possible that the motive for the kidnapping and murder was similar to that expounded by Jan Olszewski and that the crime originated with someone as yet unidentified. The evidence available is open to various interpretations.

There has been considerable speculation in the western press about the possible involvement of "hardliners" in the Party and security apparatus who might have hoped to use the incident to bring about a change in leadership and/or policies. This speculation has focussed, in particular, on Politburo member Mirosław Milewski, formerly Minister of Internal Affairs and currently Central Committee Secretary responsible for the security forces. In addition to the fact that Milewski supposedly regards current policies as too liberal in relation to the opposition and the Church, it has been suggested that the security apparatus as a whole resents the current minister, General Kiszczak, because he is an outsider, having made his career in the army rather than the security apparatus. The theory that a group within the leadership instigated the murder

of Father Popiełuszko for its own ends has also been advanced by several opposition activists, most notably Jacek Kurón and Dawid Warszawski, although neither of them makes any specific accusations.[32]

Other opposition activists have argued that speculation concerning the provocatory intent underlying the murder is either unfounded or irrelevant. The real purpose was to intimidate the Church and the opposition, and Piotrowski and his associates acted in line with current policy within the security apparatus. The murder, however, created such a potentially explosive situation that Jaruzelski decided it was worth sacrificing four individuals in order to protect the repressive apparatus as a whole.[33] This does not, of course, rule out the possible involvement of others in either instigating or approving the murder.

There is no hard evidence to support either view. Proponents of the provocation theory can point to the timing of the murder—shortly before the Central Commitee was scheduled to meet—as significant; with riots in the streets, the Committee could have been persuaded to vote for a change of leadership and/or an increase in repression. They can also point to the fact that in November General Jaruzelski took over supervision of Party work within the Ministry of Internal Affairs, previously Milewski's responsibility. In addition, there have been reports in the western press that Milewski has not attended recent Politburo meetings.[34] The fact that Milewski is still a member of the Politburo might only mean that Jaruzelski has no desire to publicize the existence of divisions within the leadership and is waiting for an opportune moment to demote Milewski quietly. Speculation about a conspiracy was fueled by the death in a car accident at the end of November of two security officials involved in the investigation—perhaps it had been arranged because they had uncovered too much? There is also the fact that General Płatek testified in court that on October 9 Archbishop Dąbrowski informed him that Father Popiełuszko would definitely be going to Rome to take up the Pope's offer of a scholarship. If Płatek believed this and told Pietruszka, as he said he did, then it is possible that the motive for Father Popiełuszko's murder was indeed a provocation, since the "problem" of his "extra-religious activity" would have been solved by his going to Rome. Finally, there is the conduct of the trial itself, with its many loose ends and unasked questions, which clearly suggests a concerted effort to limit responsibility for the crime to the four accused.

On the other hand, much of the above is also consistent with an attempt to cover up the involvement of others in the murder, regardless of the motivation. In this connection, it should be remembered that the notion that Father Popiełuszko's abduction constituted a provocation aimed at the government was launched by the government itself in a clear attempt to diffuse anger and present the incident as an isolated event, an aberration from the

normal standards of legality observed by the security apparatus. The Polish authorities did not identify who might be behind such a provocation, but they have all but accused the opposition of instigating the murder. Numerous articles in the press have asked: who stands to gain from the death of Father Popiełuszko? The answer has invariably been—the opposition. For example, writing in *Trybuna Ludu*, Jerzy Salecki declared: "It is no accident that well-known KOR activists consider the situation to be favorable and would like, once again, to create the old structures of the opposition under a new name, to legalize groupings which will go down in history for their anti-state programs."[35] This line of argument was presented during the trial by Prosecutor Pietrasiński. Addressing himself to the question of who might have stood behind the plot, he proclaimed that, since the trial had demonstrated that no one else from the Ministry of Internal Affairs had been involved, "It transpires that persons or groups within Poland who are actively opposed to the political line of the Ninth PUWP Congress . . . might have desired this provocation and exploited its consequences for their own ends." He subsequently identified these groups as underground Solidarity and KOR, supported by Radio Free Europe and other "centers of western subversion." If this is the reasoning of those who are conducting the investigation into the possible involvement of others, then it is unlikely that the true instigators—if they exist—will ever be charged.

One thing that is clear is that none of the accused ever expected to find himself in court. It is possible that they acted alone, in the expectation of approval from their superiors in the security apparatus. After all, Father Popiełuszko was not the first victim, and they could have been encouraged, in particular, by the case of Grzegorz Przemyk, when the authorities went to great lengths to exonerate two policemen charged with his death.[36] On the other hand, it seems unlikely that the plot against Father Popiełuszko, which was bound to have such widespread repercussions, would have been undertaken without specific assurances of support from someone higher up in the ministry. Until the archives of the security forces are open to public scrutiny—which is unlikely to happen in the foreseeable future—the full circumstances surrounding Father Popiełuszko's death are likely to remain shrouded in mystery.

Jane Cave

1. *Biuletyn Informacyjny*, Paris, No. 99 (31 Oct. 1984).
2. *Ibid.*
3. *Uncensored Poland*, London, No. 21 (1 Nov.) 1984.
4. *Ibid.*
5. *Biuletyn Informacyjny*, loc. cit.
6. *Trybuna Ludu*, 5 Sept. 1984.
7. *Tu i Teraz*, 19 Sept. 1984.
8. Seweryn Jaworski was one of the seven Solidarity leaders held without trial from December 13, 1981, until the amnesty of July 1984.
9. *Trybuna Ludu*, 24 Oct. 1984.
10. *Ibid.*, 29 Oct. 1984.
11. *Ibid.*, 30 Oct. 1984.

12. *Ibid.*, 29 Oct. 1984.
13. *Ibid.*, 27–28 Oct. 1984.
14. *Ibid.*, 29 Oct. 1984.
15. To avoid an excessive number of footnotes, individual references have not been given in the account of the trial proceedings.
16. *Tygodnik Mazowsze*, No. 111.
17. *Ibid.*
18. A reference to the money withdrawn from Wrocław Solidarity's bank account by Józef Pinior shortly before martial law.
19. *Tygodnik Mazowsze*, No. 115.
20. See, e.g., Jerzy Salecki, *Trybuna Ludu*, 2–3 Feb. 1985.
21. *Uncensored Poland*, No. 4 (14 Feb.) 1985.
22. *Trybuna Ludu*, 13 Feb. 1985.
23. *Ibid.*, 7 Feb. 1985.
24. *Rzeczpospolita*, 21 Jan. 1985.
25. *Tygodnik Powszechny*, 20 Jan. 1985.
26. *Uncensored Poland*, No. 4, 1985.
27. *Ibid.*
28. *Ibid.*
29. *Ibid.*
30. *Trybuna Ludu*, 20 Sept. 1985.
31. *Tygodnik Mazowsze*, No. 114.
32. Jacek Kuroń, "Zbrodnia a polityka," *Tygodnik Mazowsze*, No. 107; Dawid Warszawski, "Strategia prowokacji," *KOS*, No. 63.
33. "To nie była polityczna prowokacja," *Tygodnik Mazowsze*, No. 108; "Rozkaz: zabić," *ibid.*, No. 109; Jan Lityński, "My i oni," *ibid.*, No. 110.
34. Bernard Margueritte, *Le Figaro*, Paris, 3 Jan. 1985.
35. *Trybuna Ludu*, 9 Nov. 1984.
36. For details of the Przemyk case, see *Poland Watch*, No. 5, pp. 6–11.

SUBSCRIBE TO THE INDEPENDENT POLISH PRESS

You can receive regular copies of independent publications through the Poland Watch Center. Twenty issues of ***Tydodnik Mazowsze***—$25. Also available: ***KOS, Wola, Solidarnosc Walczaca, Niepodleglosc, Tygodnik Wojenny,*** and many more.

Complete catalog of publications available (76 pp)—$5

Write: **Poland Watch Center,** 1775 T Street, N.W., Washington, D.C. 20009

AFTER THE AMNESTY

According to the Polish authorities, 1,836 opposition activists benefitted from the amnesty proclaimed in July 1984. Of these, 633 people sentenced or awaiting trial for "politically motivated offenses" were released from prison; charges were dropped against a further 805; and 398 underground activists reportedly gave themselves up to the authorities.[1]

More than twenty prisoners were not, however, released, on the grounds that their offenses were too serious to merit inclusion under the amnesty. These included Bogdan Lis and Piotr Mierzewski, arrested in Gdańsk in June and charged with treason, an offense not included in the amnesty.[2] At the beginning of December it was announced that the treason charges had been dropped, and they were released from prison.

Most of the remaining political prisoners had been convicted of criminal offenses. Among them were seven miners from Lubin convicted of "attempting terrorist acts" shortly after the killing of three demonstrators by security forces in Lubin on August 31, 1982. They received prison sentences ranging from four to five-and-a-half years for "the illegal production of explosives" and "membership of an illegal group."[3] At least five other workers, two of them convicted of blowing up an obelisk symbolizing Soviet-Polish friendship, had been convicted on similar charges. Also remaining in prison were three students and a priest convicted of involvement in the killing of a Warsaw policeman, Zdzisław Karos, in February 1982. Karos was killed when two of the students, Robert Chechłacz and Tomasz Łupanów, tried to disarm him. (They planned to use weapons obtained in this way to free the internees in Białołęka.) Despite the accidental nature of the killing, Chechłacz, aged 17, was sentenced to twenty-five years' imprisonment for "belonging to an armed organization" and using "stolen arms to kill a policeman while trying to disarm him." Łupanów was sentenced to thirteen years on the same charges, the third student, Stanisław Matejczuk, received six years for "belonging to an armed group," and Father Sylwester Żych, a curate from Grodzisk Mazowiecki, was sentenced to six years for concealing arms used by the other three. There have been numerous reports in the underground press that the three students were severely beaten during interrogation.[4]

The amnesty did not cover six workers from the Katowice steelworks, arrested in 1983 and originally charged with the printing of illegal publications. The charges were subsequently changed to theft of printing equipment from the steelworks and the use of this equipment for personal gain. Their trial opened in August 1984, was adjorned on December 13 until January 16, and then adjorned again until mid-February. The six have already spent well over a year in detention, and the trial is continuing.[5]

It is not known exactly how many people are currently in prison or awaiting trial on political charges. At the beginning of December, *Tygodnik Mazowsze* identified 41 people who were not covered by the amnesty, who had been sentenced subsequently, or who were under investigation.[6] There were, then, far fewer people charged with political offenses than before the amnesty. Arrests, however, are continuing, and we can expect the number of political prisoners to increase.

Subsequent Arrests and Trials

The amnesty brought the release of a number of leading Solidarity activists, including the seven regional leaders and four KOR members detained since December 13, 1981. Following their release, many of them made clear their intention to resume political activity and some of them have already been sentenced or are under investigation for their activities since the amnesty. Here it should be remembered that the amnesty was a conditional one; if any of those released are convicted of similar offenses, they will be obliged to complete their original prison sentence or stand trial on the charges that were dropped.

First to find themselves back in prison were Wrocław Solidarity leaders, Władysław Frasyniuk and Józef Pinior. (Frasyniuk had been sentenced to six years' imprisonment in November 1982, and Pinior to four years in May 1984; both sentences were reduced by half under the 1983 amnesty.) At the beginning of September they were charged with disturbing the peace after taking part in a demonstration on August 31 to mark the fourth anniversary of the Gdańsk agreements. They were both sentenced to two months' imprisonment by a misdemeanor court.

They were followed, on December 17, by Andrzej Gwiazda, one of the "Solidarity seven," who was sentenced to three months after attempting to lay a wreath at the Gdańsk monument to workers killed by the security forces in 1970. According to the independent press, Gwiazda's attorney and witnesses were not allowed to attend the proceedings. The only witnesses to testify were a number of policemen who charged that Gwiazda had marched at the head of a procession, carrying a banner with a "hostile slogan" and had thrown stones at the police. In fact, Gwiazda had carried a wreath, and no stones had been thrown. Also sentenced with Gwiazda were two shipyard workers, Wacław Sułek and Maciej Nakręcki.[7]

On February 12, Gwiazda was also tried, in his absence, by a misdemeanor court in Jastrzębie. He had been detained in Jastrzębie on December 7 and charged with failing to produce his identity card when requested to do so by the police, with displaying the name of Solidarity on his briefcase, and "issuing provocative shouts" after his detention, which allegedly prompted some 100 people to gather and chant Solidarity slogans. (This last charge referred to

the fact that Gwiazda had shouted out his Gdańsk telephone number in the hope that a passerby would inform his family of his detention. Gwiazda's shout of, "Remember, 56-28-26," was "translated" by the police into: "Remember, '56, '68, '80," i.e., the dates of successive Polish crises.)[8] Gwiazda was sentenced to two months' imprisonment, which he will presumably have to serve after completing his Gdańsk sentence.

On January 30 the Voivodship Prosecutor's Office in Gdańsk announced that it had opened proceedings against Adam Michnik and Bogdan Lis under Articles 278 and 282a of the Penal Code. These stipulate prison sentences of up to three years for anyone found guilty of belonging to an illegal organization or directing "a protest action contrary to the existing legal regulations." The proceedings against Lis and Michnik were prompted by the fact that on January 21 they took part in a meeting of the Interim Coordinating Commission, the underground Solidarity leadership, and signed an appeal for a fifteen-minute strike to be held on February 28 in protest against the government's decision to increase food prices.[9]

Neither Lis nor Michnik was detained at this time, but they were both arrested two weeks later, on February 13, when police broke up a meeting in Gdańsk to discuss the strike call. Also arrested was Władysław Frasyniuk. Four other prominent Solidarity activists—Stanisław Handzlik, Janusz Pałubicki, Mariusz Wilk, and Jacek Merkel—were detained for forty-eight hours and then released. All seven, however, have been charged under Article 282a[10] Lech Wałęsa, who also attended the meeting, was neither detained nor charged. He was, though, summoned by the Gdańsk Prosecutor's Office for questioning on February 16 and told that he faced prosecution if he continued his political activity. (It seems that the Polish authorities are determined not to arrest Wałęsa. At a press conference held a few days later, Jerzy Urban made fun of Wałęsa, declaring him a pathetic figure who "currently makes no secret of the fact that he dreams of being arrested." If the authorities were to arrest him, said Urban, they would lay themselves open to "ridicule."[11])

On January 7 Józef Pinior again found himself in court, this time to answer a civil suit demanding repayment of eighty million złoties which he withdrew from the bank account of Wrocław Solidarity ten days before the imposition of martial law. Pinior was treasurer of the Wrocław region and had every right to withdraw these funds. On December 13, 1981, he went into hiding together with Frasyniuk and Piotr Bednarz, taking the money with him. It was used to assist people thrown out of work or in hiding, for printing and publishing underground literature, for Radio Solidarity, and for financing other underground activities. When Pinior was arrested in April 1983, it was announced that he was under

investigation for embezzlement of Solidarity funds, but this charge was not presented at his trial in May the following year.

The demand for repayment was formally filed by the commission set up by the government to manage Solidarity's assets following the delegalization of the union in October 1982. Bednarz was also named in the original suit, but the claim against him was dropped because of his poor health. (He is still seriously ill after stabbing himself in the stomach while in prison in May 1984.) While the commission conceded that Pinior had the right to withdraw the eighty million, it charged that he had no right to spend it while Solidarity was suspended. For his part, Pinior argued that he was acting within the scope of his prerogatives as regional treasurer and that he would account for the money only to the members of Solidarity, to whom the money belonged, and not the authorities.

On February 11 the voivodship court in Wrocław ordered Pinior to repay the eighty million złoties, plus interest, together with a fine of 8,750 złoties and court costs amounting to 52,000.[12] Polish law does not allow imprisonment for "non-payment of debts." However, if Pinior does not pay the fine and court costs, these can be translated into "prison-days" at a rate of between 150 and 500 złoties a day. It has been suggested, though, that Pinior is likely to end up in prison, regardless of whether or not he pays these costs, as any payment he makes will first be applied to the eighty million he allegedly owes.[13] Another possibility is that the authorities could deduct a certain amount of money from his earnings (assuming that he can find a job) for the rest of his life. Whatever the outcome, the case against Pinior cannot be seen as anything but an extreme example of political harassment.

Most of the other people arrested since the amnesty have been sentenced, or are awaiting trial, on charges relating to either independent publishing or participation in demonstrations on August 31. After the August demonstrations fourteen people were reportedly sentenced to prison terms of one to three months, 138 were fined, and two were sentenced to a term of compulsory labor.[14]

Although the numbers are relatively small, it seems that the authorities have shifted away from imposing suspended sentences for underground publishing. For example, Józef Śreniowski, a 38-year-old sociologist from Łódź, was sentenced on February 12 to two years and four months in prison on charges of transporting printed matter slandering the Polish state and using a forged identity card. A member of KOR, Śreniowski was interned on December 13, 1981, and had been in hiding since his escape from the prison hospital in Łowicz in 1982. He is reported to be seriously ill and in danger of losing his sight.[15] On February 1 Stanisław Kotowski, a building engineer from Warsaw, was sentenced to two-and-a-half years on charges of transporting illegal publications, possession of printing equipment, and belonging to an illegal

political party. Andrzej Karpiński was sentenced to one-and-a-half years for helping Kotowski.[16] Jakub Piętrzak, an assistant lecturer at the Poznań Medical Academy, was sentenced to three months' imprisonment in September for disseminating illegal publications. At least ten other people have been arrested on similar charges, including four people detained at the end of November in a police raid on a house in Warsaw, where printing equipment used to print *Tygodnik Mazowsze* was found.[17]

During the fall two young people doing their military service—Mirosław Zabłocki and Marek Adamkiewicz—stood trial for refusing to take the military oath because of its references to the leading role of the Party and Poland's alliance with the Soviet Union. They were charged under Article 305 of the Penal Code, which stipulates a prison sentence of six months to five years for anyone who "refuses to do his military service or carry out the duties resulting from this service." At his trial in Warsaw on October 9, Zabłocki argued that it was nowhere laid down that taking the oath constituted part of a soldier's duties and that he would gladly take an oath making no reference to the Soviet Union. He was given a suspended sentence of one-and-a-half years.[18] Adamkiewicz was not so lucky. His argument was essentially the same as Zabłocki's, but it was presented in court after the Military Chamber of the Supreme Court had ruled, on October 22, that taking the oath did indeed constitute the duty of every soldier. On December 18, Adamkiewicz was sentenced to two-and-a-half years in prison.[19]

Those arrested since the amnesty also include two security officials from Gdynia accused of cooperating with the underground,[20] and one-time Stalinist and Central Committee member, Kazimierz Mijal. Active in the Natolin group in 1956 and unable to reconcile himself to Gomułka's "revisionist" policies, Mijal left Poland for Albania in 1966, using a false passport. There he established the "Communist Party of Poland" and broadcast regularly to Poland. When Albania and China parted company in 1977, Mijal apparently went to China for some time and then to Belgium. He was arrested in Warsaw on November 16 and charged with belonging to "an illegal group," writing and distributing publications slandering the Polish state "with the aim of provoking social unrest," and entering the country on a false passport.[21]

Pressure on Underground Activists

The 1984 amnesty included a clause, as did the amnesty of 1983, designed to eradicate underground political activity by offering immunity from prosecution to underground activists who gave themselves up to the authorities and confessed to political offenses they had committed. The terms of the 1984 amnesty were, though, much tougher than those of its predecessor. Underground activists

not only had to confess the nature, time, and place of offenses committed, but also had to offer far more precise information—"all the essential circumstances"—about these offenses; in addition, they had to hand over any equipment used.

According to official sources, 398 activists in Poland and abroad had taken advantage of this clause by the time it expired at the end of December. This was far fewer than the 1,132 who reportedly took advantage of the 1983 amnesty.[22] In 1983 the underground press reported that many of those who allegedly gave themselves up to the authorities had in fact been arrested and given a choice between standing trial and "voluntarily" abandoning political activity.[23] It is not clear whether this was also the case in 1984.

Most of those who officially gave themselves up were lower-level activists involved in independent publishing but not actually living in hiding. Two exceptions were Eugeniusz Szumiejko, since 1982 a member of the Interim Coordinating Commission, and Zbigniew Janas, a member of the clandestine Warsaw Regional Executive Committee, both of whom had been in hiding since December 13, 1981. In December 1984 both of them left the underground, citing personal reasons for their decision. In a statement which he presented to the Public Prosecutor's Office in Wrocław, Szumiejko outlined the reasons why he had been active in the underground and stated: "I have not changed my opinions and I do not withdraw my signature from any documents I signed in the past, since I remain faithful to Solidarity's values and ideals."[24]

Szumiejko's case illustrates the pressures that life underground can impose on activists and their families. At the time he resurfaced, his wife was reportedly very ill, his father was dying of cancer, and he apparently decided to return home to look after his family, including his three children, one of whom was born after he went into hiding.[25] It is quite likely that, during her husband's absence, Szumiejko's wife was also subject to direct pressure from the security forces. When the promise of immunity does not appear to be enough to persuade those in hiding to give themselves up, the security forces frequently engage in the harassment of their family members. This was certainly the case with Janas' wife, who was summoned to Warsaw police headquarters in October 1983 in an attempt to force her to persuade her husband to give himself up. In the course of her interrogation she was threatened with dismissal from work, with being deprived of custody of her child, and with facing charges of cooperating with the underground. She was also beaten so severely round the head and kidneys that she was subsequently admitted to the hospital.[26]

One of the most extreme cases of family harassment concerns the wife of Tadeusz Jedynak, chairman of the Regional Executive Committee in Silesia and member of the ICC, in hiding since June 1983. On October 10, 1984, Maria Jedynak wrote the following

letter to the Minister of Internal Affairs, General Kiszczak, detailing the harassment and threats she had encountered since her husband had gone underground:

> . . . I have not seen my husband since June 1983 and since that time I have had no idea about his whereabouts. Because of the absence of my husband, I have been subjected to harassment on the part of Security Service officials of the Katowice Bureau of Internal Affairs since March 1984. On certain occasions this harassment has taken the form of blackmail and threats to imprison me.
>
> On March 5, 1984, Security Service officials carried out a search of my apartment, without a warrant from the prosecutor, as well as the apartments of my family in various parts of Poland. On May 16, I was told that my ten-year-old daughter and I would no longer be permitted to occupy our apartment. On July 4 I was taken from my place of work by Security officials at 12 noon and interrogated in Katowice until 8 p.m. on the pretext that I had sheltered my husband. After eight hours I was released and with difficulty returned to Żory, where I had left my daughter unattended.
>
> On July 7, wishing to protect my child from further harassment, I took her to the countryside, to my family in Rościsławice near Wrocław. The same day, the whole family (uncle, aunt, and son) was arrested on the trumped-up charge that my cousin had knocked somebody over while riding his motorbike, although during the time in question he had not left the apartment.
>
> On July 11, I was interrogated once again,, this time for six hours, during which they threatened: that my child would be kidnapped; that I might be run over after leaving the building, because the Security Service had no difficulty in faking a car accident; that I could be raped by unknown assailants. All these catastrophes could be avoided if I revealed the whereabouts of my husband and the people with whom he was in contact.
>
> On July 28, I was again taken to Katowice for an interrogation, which lasted six hours, and I was asked why my husband had not come out of hiding after the amnesty had been proclaimed. This time they threatened that I would be thrown out of my apartment or lose my job, which I supposedly had thanks only to the generosity of the Security Service.
>
> During August I was greatly distressed by proceedings concerning my eviction from my apartment. At the moment I am waiting for the verdict and do not know whether I

shall shortly be thrown out of my apartment along with my daughter, who is constantly ill.

To the present day, Security officials continue to harass me and my family. On October 2 I was taken from work to yet another interrogation which lasted five hours. Again, I was asked about my contacts with my husband (of which I have had none) and told to reveal his whereabouts and persuade him to give himself up. I reached home at about 7 p.m. to find my child waiting for me, very upset that I had not returned and she did not know why. The Katowice Security Service warned me that I would be summoned for further interrogations.

In presenting the above facts, I would like to ask whether they are permitted in a law-abiding country and I courteously request a decision to put an end to the illegalities, threats, and blackmail of which I am the victim.[27]

Another form of official harassment is directed at those political prisoners released under the amnesty. Many of them have been unable to find work, despite public assurances that the authorities would do everything to help those released to find employment and thus return to "normal life." The independent paper, *KOS* reports that in July the heads of personnel departments in Warsaw factories and institutions were summoned to a meeting at the local Department of Employment and Social Services. There they were told that people who had been charged with or convicted of political offenses were not to be re-employed at their old place of work. If a factory or institution did want to employ such people, the director would first have to obtain the agreement of the city president.[28]

These measures have not been confined to Warsaw. Three months after the amnesty, *KOS* could identify twenty-one people in the Małopolska (Kraków) region, some of them released under the 1983 amnesty, who were still without work.[29] Among the well-known activists who have been unable to find a job are: Stanisław Handzlik, previously employed at the Lenin steelworks; Patricjusz Kosmowski, formerly chairman of Bielsko-Biała Solidarity; Stefan Jurczak, deputy chairman of the Małopolska region; Andrzej Rozpłochowski from the Katowice steelworks; and all those detained with Handzlik in Gdańsk on February 13. (It should be noted that the official announcement of their detention declared that none of them was employed or seeking work.)

The case of Jerzy Kropiwnicki, the deputy chairman of Łódź Solidarity, illustrates the difficulties which ex-prisoners encounter in trying to find work. The deputy chairman of the Łódź Solidarity region, Kropiwnicki was sentenced to six-and-a-half years' imprisonment for having tried to organize a strike on December 13, 1981. Released in July 1984, he immediately requested re-

employment at Łódź University, where he had previously taught economics. His request was approved by the director of the Economics Institute, Kropiwnicki was not, however, re-employed, because it turned out that he was ineligible to teach; since his prison sentence had been accompanied by the deprivation of civic rights, he could work at the university in a non-teaching, technical capacity only. At the beginning of August, he requested employment of this kind and received the support of the Dean of the Economics and Sociology Faculty. It then transpired that Kropiwnicki could apply for this job only if his application went via the local Department of Employment. After the Department refused to answer all queries connected with the case, the rector and his predecessor visited the city president to intervene on Kropiwnicki's behalf. They were told that even if the Department of Employment agreed to Kropiwnicki's employment at the university, the authorities had the right to veto it under the "specific regulations" introduced with the lifting of martial law. A meeting of the senate at the end of September came out in support of Kropiwnicki and resolved to continue pressure on his behalf. He has not, however, been reinstated.[30]

Opposition activists feared that the law on "workshirkers," passed in October 1982, would be used to prosecute people unable to find work for political reasons. It is not known how many people have been prosecuted under this law, but one such case was reported in January this year. Mieczysław Tarnowski of Wałbrzych was sentenced to sixty days in prison or a fine of 15,000 zloties for a "parasitical way of life." Tarnowski, a deputy chairman of Wałbrzych Solidarity, was in Switzerland when martial law was declared and returned to Poland in February 1983. He applied for work at the "Wałbrzych" mine but was turned down by the management. After numerous appeals, he was reinstated by a Wałbrzych court in December 1983. When he appeared at the mine he was immediately arrested on charges of "participating in illegal structures." Released in July under the terms of the amnesty, he was again refused employment in the mine. On January 17 he was summoned to the local Internal Affairs Bureau and told he would face a misdemeanor court immediately. After sentencing, he was not allowed to go home to get the money to pay the fine and was taken to the prison in Szczawienek. He was released the following day after his wife had paid the fine.[31]

The authorities have also continued to resort to a whole range of measures designed to harass and intimidate opposition activists, including house searches, interrogations, and 48-hour detentions.

Deportation for Political Activists?

In the fall of 1983, during discussions with Church representatives on possible conditions for the release of the Solidarity eleven,

the government made it known that it was prepared to release them in exchange for their "leaving Poland for some time"—an offer that was refused by all of them. In the wake of the amnesty, the government revived this proposal, but now presented it not as an "offer" but as a possibly compulsory measure. At a press conference on September 4, government spokesman Jerzy Urban announced that the authorities were considering the possibility of amending the Penal Code to provide for the punishment of deportation "for a certain period of time" to be determined by the courts. Such a sentence could be handed down, as an alternative to imprisonment, in the case of people convicted of "serious crimes against the state resulting from their persistent failure to respect [Poland's] constitutional principles." According to Urban, the proposal was currently being considered by "experts" who had pointed out that deportation was practiced by a number of capitalist countries, including Brazil and France. A number of unidentified countries "on continents other than Europe" had already expressed willingness to accept people who might be deported from Poland.[32]

This proposal aroused considerable outcry from many quarters. Particularly strong criticism was voiced by the Catholic weekly, *Tygodnik Powszechny*. The fact that some countries allowed for the deportation of foreigners had nothing to do with the banishment of one's own citizens, said the paper. The sole permissible reaction to the proposal had to be "decisive opposition" on both legal and ethical-moral grounds. "All Polish citizens," the paper continued, "regardless of their beliefs and activity, and even if they are in conflict with the legal norms of a given period, have the right to be masters of their own country. To deprive anyone of this right on grounds of his political activity . . . would conflict deeply with the Christian ethical norms adhered to by a substantial proportion of our society."[33]

Nothing has been heard about the deportation proposal since September, and it is possible that the widespread opposition has forced the authorities to abandon the idea.

Nevertheless, it may be that Poland already has its first victim of de facto banishment. On February 5, Seweryn Blumsztajn returned to Warsaw from Paris, only to be forcibly sent back to France on the next plane. A member of KOR, Blumsztajn went to Paris in the autumn of 1981 to have discussions with French trade unionists on behalf of the Warsaw Solidarity organization. Following the imposition of martial law, he became a member of the Coordinating Bureau of Solidarity Abroad and editor of *Biuletyn Informacyjny*, published by its Paris office. The official reason for denying Blumsztajn entry into Poland was that the official (*służbowy*) passport on which he had traveled to France was no longer valid in light of the fact that he had used it to carry out activity different from that for which it had been issued. He was

told to apply for a new passport at the Polish consulate in Paris, which he has done.[34]

If Blumsztajn does succeed in returning to Poland, he may well find himself under arrest. The authorities have made it known that they have launched an investigation into the activities of the Coordinating Bureau, which is suspected of treason. This investigation has been given maximum publicity with the aid of a certain Jacek Knapik, an emigre activist in Vienna, who reportedly repented of his anti-Polish activity, "gave himself up" to the Polish embassy in Vienna, and returned home with extensive documentation of the alleged ties between the Bureau and the CIA. Knapik's sensational "revelations" have received considerable coverage on television and in the press.[35] This suggests that the Polish authorities will try to use its case against the Brussels Bureau in the attempt to break the ties between underground Solidarity and its representatives abroad and to intimidate opposition groups within Poland. If they develop sufficient "evidence" of treasonable activity on the part of the Bureau, the authorities will no doubt try to dissuade many opposition activists from further activity by threatening legal proceedings on similar charges. If, as seems likely, such threats prove ineffective, they may well decide to proceed with a number of trials in the hope of finally persuading underground activists that the price of opposition is too high.

J.C.

1. *Rzeczpospolita*, 3 Jan. 1985.
2. For details of Lis' arrest, see *Poland Watch*, No. 6, pp. 3–4.
3. *Uncensored Poland*, London, No. 17 (16 Aug.), 1984.
4. *Sektor*, No. 65 (30 Sept. 1984).
5. *Tygodnik Mazowsze*, No. 114 (24 Jan. 1985).
6. *Ibid.*, No. 109 (6 Dec. 1984).
7. *Ibid.*, No. 111 (3 Jan. 1985).
8. *Uncensored Poland*, No. 4 (14 Feb.) 1985.
9. *Trybuna Ludu*, 31 Jan. 1983.
10. *Ibid.*, 16–17 Feb. 1985.
11. *Ibid.*, 20 Feb. 1985.
12. *Ibid.*, 12 Feb., 1985.
13. *Solidarność News*, Brussels, 15 Feb. 1985.
14. Jerzy Urban, *Trybuna Ludu*, 5 Sept. 1984.
15. *Uncensored Poland*, No. 4, 1985.
16. *Ibid.*
17. *Tygodnik Mazowsze*, No. 109.
18. *KOS*, No. 62 (22 Oct. 1984).
19. *Obraz*, Jan. 1985.
20. *Tygodnik Mazowsze*, No. 109.
21. *Trybuna Ludu*, 20 Nov. 1984.
22. Lech Domeracki, *Rzeczpospolita*, 21 Sept. 1984.
23. *Poland Watch*, No. 4, pp. 14–15.
24. *Uncensored Poland*, No. 4, 1985.
25. RFE Research, Poland/21, 1984.
26. *Wola*, No. 36, 1983.
27. *Tygodnik Mazowsze*, No. 106 (15 Nov. 1984.)
28. *KOS*, No. 62.
29. *Ibid.*
30. *Biuletyn Łódzki*, No. 60 (12 Oct. 1984); *Biuletyn Informacyjny*, Paris, No. 108 (6 March 1985).
31. *Tygodnik Mazowsze*, No. 115 (31 Jan. 1985).
32. *Trybuna Ludu*, 5 Sept. 1984.
33. *Tygodnik Powszechny*, 16 Sept. 1984.
34. Jerzy Urban, *Trybuna Ludu*, 13 Feb. 1985.
35. See *Trybuna Ludu*, 18–22 Feb. 1985.

THE NORMALIZATION OF HIGHER EDUCATION

In 1984 the Polish authorities decided it was time to extend the normalization process to the universities, which had won some measure of autonomy from state control with the passage of the new Law on Higher Education in May 1982. To prepare the ground for the formal decision to "amend" the Law, a massive press campaign was launched in the spring, criticising the universities for abusing their newly-won self-management powers to engage in activities and promote views incompatible with "socialist" higher education. By the early fall, the Ministry of Higher Education had drawn up a set of proposals designed to increase drastically the control of state and Party authorities over the universities and—within the universities—to shift the locus of decision-making power from collegial bodies (senates and faculty councils) to the rectors and deans. It is no exaggeration to say that if the ministry's proposals are implemented, state and Party control over higher education will far exceed that of the 1970s.

The new Law was drawn up after August 1980, in consultation with representatives of Solidarity, the teachers' union, and the Independent Students' Union (NZS), dissolved in January 1982. Although a number of changes were made before it was finally passed by the Sejm, it accorded far-reaching autonomy and self-management powers to all institutions of higher education. Briefly, the Law gave universities the right to elect their rector (previously appointed by the minister) as well as members of the governing senate and faculty councils; membership of these bodies was expanded to include representatives of junior academic staff and students. The senates were empowered to adopt their own statutes, establish study programs, and decide personnel and financial issues. Students could elect their own self-management bodies, which had the right to be consulted on many major decisions. On the national level, the Main Council of Higher Education, made up of elected representatives from the universities and hitherto an advisory body attached to the ministry, became independent and was given a wide range of decision-making powers.

In all likelihood the government was not particularly happy about the increased autonomy of the universities but decided to allow passage of the bill for strategic reasons—either because it preferred to delay any confrontation with the academic community or because it considered that, given the powers it had under martial law, it could safely make a gesture that would demonstrate its supposed commitment to the process of "renewal" and which might conceivably engender some support for the regime within the universities.

That the government was determined to retain the right to intervene directly in the life of the universities was made clear in July

1983 when, with the formal lifting of martial law, the Sejm passed a law on "specific regulations" to be in force until the end of 1985. Under these regulations the Minister of Higher Education is empowered to change employment contracts from permanent to fixed-term contracts, thus allowing him to remove politically "unreliable" academic staff. The Prime Minister is empowered to annul decisions of the Main Council if these are "contrary to the law or the social interest." The minister can suspend collegial bodies for up to six months if they take actions "incompatible with the law or the social interest" and he can dismiss rectors, deans, and other academic-administrative staff, appointing their replacements. Students and faculty members "guilty of committing an offense of particular social harm or of acting against the basic interests of the Polish People's Republic" can be suspended or dismissed by the rector or minister. In the attempt to prevent the formation of any independent students' organization, students are permitted to join only those organizations which were registered before July 21, 1983.[1]

These efforts to strengthen state controls over higher education have been only partly successful. The universities have, for example, generally resisted pressures to dismiss staff and students on political grounds, many governing bodies have issued statements critical of government policy, and student self-management councils are in many cases dominated by members of the NZS. Nevertheless, the universities have been subjected to increasing political—and economic—pressures. A statement issued by the independent "Social Committee for Science" in October 1984 pointed to the growing influence of the Party and the new trade unions over appointments; the imposition of study programs by the ministry; a limitation on admissions, for political reasons, to some departments; a limitation on travel abroad; and increasing censorship of scholarly publications. The Committee also noted a decrease in government expenditure on higher education, particularly in allocations of hard currency for the purchase of books and equipment.[2]

Tensions between the authorities and the universities came to a head in the spring of 1984 when all academic institutions elected their rectors and, in some cases, their senates. The universities had held such elections in 1981, while the new Law was in preparation, but in 1982 the authorities removed thirty-three of the rectors chosen in these democratic elections, replacing them with their own appointees. The authorities had reason to be anxious not only about the outcome of the elections but also about the conduct of the election campaigns which afforded plenty of opportunity to discuss and criticize government policy.

In the event, nine of the government's appointees survived the election process to retain their posts, while twenty-eight of those elected in 1981 were reelected. In most cases, the election results

obtained official approval, but the government did intervene to veto the election of rectors at five institutions—the Higher School of Art in Wrocław, the Medical Academy in Kraków, and at universities in Poznán, Wrocław, and Warsaw.

The most stormy confrontation with the ministry occurred at Warsaw University. In March, elections were held to fill a number of vacancies on the university senate. Among those elected was Janusz Onyszkiewicz, former Solidarity press spokesman. The Minister of Higher Education, Benon Miśkiewicz, declared the elections invalid on a number of procedural grounds which were strongly disputed by the senate.[3] This was followed by the election, in May, of Professor Klemens Szaniawski as rector. Szaniawski had formerly been chairman of the independent Coordinating Committee for Creative Organizations. At one of his press conferences, Jerzy Urban described the Coordinating Committee as "an oppositionist group committed to the struggle against the state authorities" and Szaniawski as "a political activist who fiercely fought state policies."[4] Miśkiewicz not only vetoed Szaniawski's election but, using the powers granted him under the "specific regulations," suspended the Electoral College for six months, thus preventing any new elections, and ordered the previous rector, Kazimierz Dobrowolski, to retain his post until the end of the year.

The university election campaign was accompanied by an outpouring of criticism in the press. "Some employees in higher education," wrote one indignant journalist in *Trybuna Ludu*, "have decided to take advantage of the social and legal status of the universities to create a platform for oppositionist activity directed against the basic principles of the state . . . . Opposition groups . . . . are trying again to sow disunity among teachers and students . . . and to stir things up within the community. They are trying to disorientate young people both ideologically and politically, to divert them from thinking constructively about the future, encouraging them instead to undertake actions directed against their own state. They are trying to introduce anarchy into the universities in order to destablize the situation in the country."[5]

In a document presented to the Sejm in September, the Ministry of Higher Education declared: "In practice, the Law [on higher education] too frequently turns into an instrument whereby the opposition sows discord within the academic community. . . . The opposition has turned self-management institutions into a mechanism of struggle against the socialist state. . . ."[6]

Miśkiewicz elaborated on this theme in an interview with the Polish Press Agency at the beginning of the academic year, in which he complained that universities were not paying sufficient attention to "the formation of socialist consciousness." There were people within the universities who played "a destructive role," criticizing every move to overcome the crisis: they tried to organize

boycotts of courses given by "collaborators," and they used such events as ceremonies to inaugurate the academic year to proclaim anti-state sentiments. Every university teacher, said Miśkiewicz, "has the duty to take part in the process of socialist upbringing. If some of them do not carry out this duty, they will be considered as unsuited to . . . state and socialist higher education."[7]

Student self-management bodies came in for equally strong criticism. An article published in the government daily, *Rzeczpospolita*, noted that "some students consider the *raison d'etre* of self-management to consist in negation and systematic opposition to . . . any kind of official authority. . . . The conduct of political activity incompatible with the character of the socialist university takes place, obviously, at the expense of students' interests. . . ." In addition, many self-management councils discriminate against office-holders in the national students' organization by forbidding them to hold any self-management position or to vote at council meetings. "These negative phenomena cannot be tolerated because they are in violation of the Law on Higher Education and thus incompatible with the law and with the real interest of students."[8]

By September at the latest, Miśkiewicz had drawn up a set of proposals to deal with these and other "negative phenomena." These proposals were not, however, made public, although they were circulated by underground activists who had managed to obtain a copy.[9] On October 19, the Main Council wrote to Miśkiewicz, expressing concern about information which it had received "from various sources" concerning proposals to amend the Law on Higher Education.[10] It was not until November 15 that Miśkiewicz took his proposals to the Main Council and it was not until the beginning of January that they were published in the press.

Proposed "Amendments"

The ministry's proposed amendments were finally published in the form of a document drawn up by the Socio-Political Committee of the Council of Ministers after a meeting with Miśkiewicz in December. (The fact that they were made public in this form rather than as a document emanating directly from the ministry was probably intended to convey the impression that they commanded some "social support.")

The Committee begins by noting that the government considered the passage of the new Law to be part of its efforts to achieve a "social agreement," that it had assumed that increased autonomy (self management) would be perceived by the universities as a means of achieving the goals appropriate to a socialist system of education. Experience has shown, however, that not all universities have been prepared to pursue these goals. The Committee then goes on to detail the ways in which the universities have abused the trust of the authorities.

Problems arose at an early stage, during the drafting of university statutes. The draft texts of most statutes submitted to the ministry for approval had to be rejected because of their failure to specify that the goals of higher education included the "socialist upbringing of students in accordance with the Constitution of the Polish People's Republic" and the "education of students to be conscious of their duties and rights as citizens of a socialist state."[11] In drawing up their statutes, the universities have also attempted to broaden the jurisdiction of their collegial bodies (senates and faculty councils) far beyond that specified in the Law on Higher Education. Some of the most severe problems in this area were encountered at Warsaw Polytechnic, which has still not submitted a suitable statute to the ministry.

Turning to the spring elections, the Committee notes that in some major universities "elections were in the nature of political demonstrations directed against the state, against the socio-political system, evidence of which was the conduct of the elections, the candidates proposed, and those elected." On many faculty councils the proportion of seats allocated to professors and *docents* was little more than fifty-one percent, giving rise to the "decisive influence" of junior academic staff and students. Elections to the councils and senates were even more of a political struggle than the elections of rectors and deans. "Among their members are to be found numerous relentless representatives of the anti-socialist opposition. People who were interned under martial law, and—in one extreme case—even someone arrested for anti-state activity, were elected in an ostentatious manner."[12] Moreover, the Committee continues, the elections brought about an "alarming stagnation" in teaching and research activity. The composition of collegial bodies in some universities does not, according to the Committee, provide an assurance of the "appropriate functioning" of some schools, not only because they contain members of the anti-socialist opposition but also because there are too many students, junior academic staff and other employees who "do not possess the qualifications necessary" to take part in decision making. The large size of collegial bodies hinders the efficient functioning of universities, given that relatively few issues can be settled by rectors and deans without consulting these bodies.

The Committee then turns its attention to student self-management bodies, noting that, "in some universities these bodies are dominated by activists of the former Independent Students' Union of an anti-socialist persuasion." These bodies have therefore been transformed into "political organizations that take decisions of a clearly anti-socialist character." The Committee considers this to be particularly dangerous in view of the fact that the disciplinary measures laid down in the Law are inadequate to deal with such students. The only way in which a student can currently be expelled

is by a decision of a disciplinary commission established by the senate; given the composition of the senates, the Committee clearly has no faith in their willingness to get rid of troublesome students. The Committee considers that existing disciplinary measures in relation to academic staff are similarly inadequate.

The Committee then goes on to draw a link between this unsatisfactory state of affairs and what it sees as a sharp decline in intellectual activity in universities, indicated by, among other things, a decline in the standard and number of doctorates and scholarly publications. This cannot be attributed to financial constraints but is caused by the "dissipation of attention" on the part of academic staff, who devote too much of their time to "areas having little relevance to the implementation of their basic duties," and among whom there is widespread "passivity" instead of "active work."

Universities, says the Committee, are not only educational institutions but also have duties relating to the country's socio-economic development. Just as workers and engineers in industry have been expected to improve labor productivity and quality of output, so university staff should be expected to do the same. Instead, much energy is "wasted on political polemics and fruitless discussions in collegial bodies." In order to ensure that Poland develops to its full capacity, the Committee states, "it is necessary to defend the spirit of the Law on Higher Education against those who take advantage of it to engage in activity that is disastrous for the future of Polish scholarship and the socialist Polish state."

The remedies proposed by the Committee have nothing to do with improving standards of teaching and research, but they have everything to do with strengthening Party and state controls over higher education. Far from preserving "the spirit" of the new law, the proposed amendments would completely emasculate it.

To begin with, the Committee proposes that university senates no longer draw up their own statutes but that they be drawn up by the appropriate minister "in consultation with the rector." The minister should also be empowered "to react effectively in the event of a university body infringing the law or the social interest." Specifically, the minister should be able to suspend or recall members of collegial bodies, to suspend the implementation of or veto a decision of any university body (including student self-management bodies), to suspend or dissolve collegial bodies, to suspend courses, to suspend teaching activity in individual departments or to dissolve entire university departments.

The Committee then proposes "a decisive change" in the composition of senates and faculty councils in order to restore "the dominant position of professors and *docents*." The Committee proposes that student representatives on these bodies be drawn exclusively from the national students' organization and suggests that perhaps students and junior faculty should have an advisory voice only and

no voting rights. In addition, representatives of all political parties should be given places on collegial bodies, and it is necessary to guarantee "the appropriate influence" of university PUWP committees on all decision making, particularly in relation to personnel policy and "the process of socialist upbringing."

It is also necessary, the Committee asserts, to ensure that the state authorities exert "effective influence" over personnel policy at the top levels. Instead of the rector being elected by his colleagues, "it would be most appropriate" for the rector to be nominated "after consultation with the senate." Alternatively, it might be possible for the senate to elect the rector from among candidates proposed by the minister or for the outgoing rector to propose a number of candidates, from among whom the minister would select the rector. The Committee proposes that faculty deans be appointed by the rector (rather than elected by faculty councils) in a similar fashion.

Having increased the dependence of rectors on the minister, the Committee proposes to expand the powers of the former, particularly their powers to approve study programs, to influence the appointment of teaching staff, and to review the work of individual university departments.

As far as student self-management bodies are concerned, the Committee asserts that, "their character should be fundamentally changed" and that this should be done by "adopting the principle that the national student and youth organizations represent the interests of the mass of students in relation to the university authorities"—in other words, there is to be no place for independent students on student self-management bodies. In addition, the regulations governing the functioning of student bodies should be subject to the approval of the rector who, together with the minister, should have the power to supervise their activities. It is worth considering, the Committee suggests, the possibility of expelling students who "commit a flagrant violation of the principles of social life or public order" after procedures to elucidate the matter—i.e., without any form of warning or lesser sanction.

The final proposals address the question of how to rid the universities of academic staff "hostile to the socialist state." First, the Committee suggests that periodic evaluations of teaching staff, "currently limited only to the results of their work," should be broadened to include assessment of their "civic and socio-political attitudes." Second, the Committee proposes limiting, or even eliminating altogether, the practice of granting tenure in academic posts: "The Law must give the rector the possibility of appropriate influence over the selection of research and teaching staff and create a mechanism allowing the removal . . . of people hostile to the socialist state; it is necessary to reduce to a minimum or abandon entirely the employment of teaching staff by appointing them to particular posts on a permanent basis." Ideally, appointments

should not be made for a period longer than five years. In addition, the rector or minister should be empowered to dismiss staff who "carry on activity incompatible with the tasks and essence of a socialist university" without any prior disciplinary action, and a national disciplinary commission should be attached, not to the Main Council, but to the ministry.

In conclusion, the Committee suggests that perhaps all university teachers should be obliged to take an "oath" (presumably, an oath pledging commitment to the goals of "socialist" higher education) when first appointed and, again, when promoted to the position of *docent*. In order to "strengthen contacts with the region" in which the university is located, it also suggests the formation of "social councils of higher education." These would, no doubt offer a channel whereby the local Party authorities would bring additional pressure to bear on individual universities in order to ensure that they fulfilled their obligations in the construction of socialism.

Not surprisingly, the Main Council has registered a strong objection to these proposals. According to reports in the official press, the Council rejects the argument that there is a connection between the provisions of the new Law and academic output; the crucial factors here, the Council argues, are economic and financial. The Council concedes that it may be necessary to find a compromise between democracy and efficiency by reducing the number of people on collegial bodies, but sees no reason why this should necessitate a change in the Law. In any event, the Council notes, all university professors are automatically members of faculty councils, so there is no question of their declining influence over university life. As for the political component of education, the Council believes—as the Law itself states—that the first priority of the universities is to produce highly qualified specialists. Given past experience, the Council doubts whether the problem of political education can be solved by "administrative methods." The Council considers that any amendments to the Law should wait at least until the end of the current three-year term of office of the newly-elected university authorities. If the ministry is determined to push ahead with amendments, then these should be thoroughly discussed within the academic community and the Council itself should be consulted.[13]

The ministry's proposals have yet to come before the Sejm. Given the voting record of this institution since December 1981, there seems little doubt that they will become law. The ministry has formally submitted its proposals for "public discussion," while warning that the discussion must not be dominated by "demagogic elements or those hostile to socialism." It may well be that, after this "discussion," it will be prepared to make some minor concessions. It may even have drafted such an extreme set of measures precisely in order to do this and thus show itself seemingly amena-

ble to social pressures. Nevertheless, the outlook for Poland's universities is bleak indeed.

J.C.

1. See *Poland Watch*, No. 4, pp. 6–8.
2. *KOS*, No. 62 (22 Oct. 1984).
3. *Biuletyn Informacyjny Uniwersytetu Warszawskiego*, No. 6 (April 1984).
4. *Rzeczpospolita*, 21 May 1984.
5. Piotr Rządca, *Trybuna Ludu*, 23 May 1984.
6. Quoted in: Marek Rostocki, "Racje obu stron," *Polityka*, 8 Dec. 1984.
7. *Trybuna Ludu*, 1 Oct. 1984.
8. Piotr Skrzypczak, *Rzeczpospolita*, 18 Dec. 1984.
9. *Tygodnik Mazowsze*, No. 106 (15 Nov. 1984).
10. Rostocki, *op.cit.*.
11. These and all other quotes from *Rzeczpospolita*, 4 Jan. 1985.
12. A reference to Anna Potok, former Solidarity chairman in the Agricultural Academy in Poznań, arrested in March for continuing union activity. (*Biuletyn Informacyjny*, No. 88.)
13. Rostocki, *op.cit.*

CITIZENS' COMMITTEES AGAINST VIOLENCE

"Citizens' Committees against Violence" (KOPPs) have been established in several Polish cities in the aftermath of the abduction-murder of Father Popiełuszko. Though they are all popularly called "KOPPs," in fact, they have designated themselves by different names: in Warsaw, the Citizens' Committee against Violence (formed November 12), in Kraków, the Citizens' Initiative in Defense of Human Rights and against the Use of Violence (November 7), in Toruń, the Citizens' Association for the Defense of Human Rights (November 24), in Szczecin, the Citizens' Committee to Defend Legality. Committees have also been reported in Wrocław, Poznań, and Piotrków Trybunalski. Kraków has seen the formation of a second committee, the Małopolska Committee of Struggle for Legality. It differs from the others in not making public the names of its members, because "the existing police state [in our country] makes effective [public] action difficult or impossible."[1]

The variety of names derives, at least in part, from a desire to emphasize the local, autonomous character of these committees in contradiction to the authorities' often repeated charge that they constitute an unregistered (and thereby illegal) nationwide organization.

Whatever their precise legal standing, these committees are important because they are the first publicly-formed groups to challenge the authorities openly since the declaration of martial law, and the first to enlist the participation of many Solidarity and opposition figures released under the July 1984 amnesty. And it is significant that this new form of collective activity has been organized specifically to counteract violence.

Background of Violence

During the last year the underground press has noted with alarm the spread of a pattern of gangland-style violence against individuals. A statement signed by Lech Wałęsa and the underground Solidarity leadership (received by Western correspondents on October 24) described this as "the introduction of individual terror and blackmail as a permanent method of political struggle."[2]

Even after police agents were implicated in Father Popiełuszko's murder, government spokesmen refused to admit that this implied a wider pattern of violence. Interior Minister Kiszczak, appearing on television October 27 to announce the arrest of three officers from his Ministry, stressed that the criminal actions of a few agents cannot inpugn the dedication of the police and security services as a whole to the protection of people's lives, health, and property.

Many viewers disagreed. Wiktor Kulerski, deputy chairman of Warsaw's underground Solidarity published an open letter to General

Kiszczak in *Tygodnik Mazowsze* in which he called Kiszczak's remarks—and similar sentiments expressed by General Jaruzelski and the Party's Central Committee—"false and cynical." Kulerski accused government spokesmen of "an attempt to use the brutal murder of Father Popieluszko to wipe out the memory of other crimes in the past and to divert attention from their perpetrators."[3]

Kulerski's letter presented a summary of murders, tortures, and harassment committed by security officers since World War II, citing Stalinist terror and incidents in the 1970s such as the murder of Stanisław Pyjas. He noted that no one has ever been called to account for those crimes. He then provided a list of recent acts of violence against activists and supporters of Solidarity: people who had disappeared and whose bodies were later discovered (five names), people who died after they were beaten in public places (eleven names), people who died after they had been beaten in police stations (seven names), people shot to death or who died from bullet wounds (six names).

Summing up this list, Kulerski demanded to know if Kiszczak's television promise to "take all necessary actions to determine the truth . . . and punish the guilty in accordance with the law" extended beyond the Popieluszko case to these other unsolved crimes.[4]

Statistics on crimes of violence reveal a series of mysterious accidents, some of them fatal, in the vicinity of Toruń, where Father Popieluszko was abducted. These include the death of Piotr Bartoszcze, Rural Solidarity activist, and kidnappings of several Solidarity supporters—Gerald Zakrzewski, Piotr Hryniewicz, Antoni Mężydło, and Zofia Jastrzębska—each of whom was driven to a secluded location, beaten, and warned against participating in underground activity. Hryniewicz was told that he might disappear without a trace "as many have already disappeared in Poland," and that his child "might have an unfortunate car accident."[5]

Other victims of such harassment, fearing reprisals, did not step forward to publicize their cases. One of them found a leaflet in his pocket announcing "the Anti-Solidarity Organization," formed to combat "the cancer consuming our society—a fashion for underground and opposition activity—[that] Jaruzelski's ineffectual leadership and [his] over-bureaucratized security forces seem powerless to stop . . . We will act under various names, even the ICC. Beware!"[6]

In an interview conducted a month before his death, (September 25) Father Popieluszko described "primitive forms of harassment" against himself. "[I was awakened] at two in the morning, December 14, 1983, by a ring at the door . . . followed by an explosion. A brick with explosives tied to it landed in my flat, shattering two windows. . . Twice I had my car smeared with white paint. I had two fake burglaries and I was constantly being followed. . . ."[7]

Initial Reactions to Father Popiełuszko's Disappearance

The atmosphere was tense after the announcement that Father Popiełuszko had been abducted (October 20). On the same day, Father Jankowski of St. Brygida's Church in Gdańsk received a threatening phone call. "You are next," he was told. In Warsaw a concussion grenade exploded near St. Stanisław's Church (Popiełuszko's home parish) and a busload of "possibly intoxicated men" attempted to disrupt a Church service there. Workers quickly formed groups to protect Father Jankowski and St. Stanisław's Church.[8]

On several occasions Church services almost turned into street marches. On October 28, some 10,000 people attending mass at St. Brygida's were ready to march to the Three Crosses Monument but were dissuaded by Lech Wałęsa, who warned against reckless action that would nullify Father Popiełuszko's life's work. At an emotional service at St. Stanisław's someone threw a handful of leaflets into the air. But the crowd of 40,000–50,000 was asked to disperse quietly and there were no incidents.[9]

In both these instances, police detachments with water cannon were stationed nearby. Large-scale police presence was reported in other towns and cities. Summary procedures were instituted in nine voivodship courts including Warsaw, Gdańsk and Wrocław, for offenses related to "public disturbances."

There were voices within Solidarity calling for decisive action. A statement from underground Solidarity at the Warsaw Steelmill called for strikes "to begin on Monday October 29, in a form to be decided later, if Father Popiełuszko is not returned [safely]." The strike was endorsed by the ICC in Warsaw: "Only by taking a strong stand . . . can we show that the cost of political crime outweighs the benefits." After Father Popiełuszko's body was discovered, a group of Solidarity activists in Gdańsk, among them Gwiazda, Walentynowicz, and Kołodziej, issued a call for a one-hour symbolic strike.[10]

An informal "action group" was set up in the St. Stanisław compound to act as a clearinghouse for information, expressions of concern, and verification of rumors. Among those taking part were Seweryn Jaworski and Janusz Onyszkiewicz, well-known Solidarity leaders, who later signed the founding declaration of the Warsaw KOPP.

The appearance of this informal group and of a KOPP in Wrocław was noted by Jerzy Urban at his press conference on November 2. "These [committees] are an obvious attempt at political preying on the tragic death of Father Popiełuszko. . . . In any case we prohibit both public and semi-legal upstart committees.

. . . No one will be allowed to act as a self-appointed prosecutor in a kangaroo court."[11]

An article in *Zycie Warszawy* [8 XI 1984] entitled "When Reason Sleeps, Ghosts Arise," seized on a statement by Seweryn Jaworski that Father Popiełuszko was alive and being held captive by the security forces as evidence of a "conscious effort to mislead the public, which when broadcast over [foreign] radio stations could only heighten tensions and increase the danger of disrupting public order."[12] The writer implied that this fit in with the intentions of the priest's abductors who also wanted to stir up trouble.

KOPPs' Founding Declarations

Amidst the volatile atmosphere surrounding Father Popiełuszko's disappearance and the public suspicion that official investigations would stop short of revealing the complete truth, and despite preemptive warnings against "illegal associations," KOPPs in several cities began to issue their founding declarations in the first weeks of November. Though each declaration is different, they all bear certain common themes:

—shock and outrage at the priest's abduction. But they are also mindful of other, less sensational, "murders, assaults, and kidnappings" reported in the underground press but never, or only superficially, by the official press (from the Warsaw Declaration);

—a return to the rule of law and respect for due process, which means public control of police activity and genuine independence for the courts;

—a call for full investigation of "unexplained crimes." "There has been enough terror and lawlessness. We demand that those guilty of such crimes be exposed, duly charged, and punished" (Kraków declaration);

—the specific activities of the KOPP will be "gathering information about rights violations and publicizing them . . . intervening with organs of the state in [such] cases . . . educating the public on the state of law in Poland and its application, . . . providing legal assistance" (Toruń declaration);

—concern for prisoners: full amnesty for political prisoners and the introduction of political prisoner status and (from the Kraków declaration) "removal of official objections to reactivating the prisoners' welfare organization, 'Patronat' ";

—in general, "Society has a right to self-defense against fear and to organize defense against political banditry" (Warsaw declaration).

Support for KOPPs

In keeping with their demands for openness in the administration of justice, KOPPs have made public the names and addresses of their members. Signatories have come from a wide spectrum of

Polish life: educators, writers, artists, professionals, scientific and technical workers, industrial workers and farmers. There are prominent Solidarity figures (Jaworski, Onyszkiewicz in Warsaw; Gil, Handzlik, Nowak in Kraków) and members of the self-disbanded KSS-KOR (Kowalska, Lipiński, Lipski, Steinsbergowa).

Farmers have expressed support for the KOPPs in an open letter signed by Rural Solidarity activists from five voivodships. "The lack of public control over the security apparatus has lead to incidents such as [Father Popiełuszko's murder]—which may well happen again. We feel that Citizens' Committees are absolutely necessary and we give them our full support."[13]

The Czechoslovak opposition group, VONS (Czechoslovak Committee for the Defense of the Unjustly Prosecuted), has written: "We express support for your activities, among other reasons, because your struggle is in many ways identical to ours. . . ."[14]

Official Response to KOPPs

On November 13, one day after the Warsaw KOPP issued its founding declaration, government spokesman Urban outlined the authorities' position on the new committees at a regularly scheduled news conference. He called them illegal as well as unnecessary, (because the official investigation into Father Popiełuszko's death was proceeding satisfactorily), and a cynical attempt by known political extremists from KOR and KPN to revive their discredited anti-state organizations. Urban accused KOPP members of shamming devotion to the law when they themselves refused to obey it. Seweryn Jaworski, according to Urban, had ignored a summons to report to the Prosecutor's office, and Anna Krich, "an unemployed person from Kraków," had recently been detained for drunk driving.

Responding to the charge that there is no public control over the police services, parliamentary deputy Zygmunt Surowiec, who is chairman of the Sejm's Committee on Internal Affairs and Justice, issued a statement in *Trybuna Ludu* detailing the complex of committees and subcommittees that review various functions of the Interior Ministry and then present their findings to the Council of Ministers. The Sejm is conscious of its responsibility to monitor the Interior Ministry, Suromiec said, "but we are also aware that this ministry . . . was, is, and will be the target of political attacks by the enemies of socialism . . . Calls for some sort of extraordinary monitoring activity are aimed at undermining the state . . . yet, a clear majority of the public has not been fooled by this perfidious game."[15]

A formal prohibition of the Warsaw KOPP was issued on November 14 by Jan Mordejko, Director of the Social-Administrative department of the City of Warsaw. On December 5 the Toruń KOPP was declared illegal by the Internal Affairs Bureau of that

city. Both decrees were based on the "Law of Associations" which dates from 1932, and which provides that every association must be officially registered.

While these decrees were being handed down, KOPP activists around the country were being summoned to Prosecutors' offices for questioning as a warning against KOPP activity. On December 7 two members of Szczecin's KOPP, Jan Kostecki and Edmund Bałuka were indicted for "not desisting from their [KOPP] activities."[16]

On December 11, Solidarity activists in Poznań, L. Dymarski, J. Kubiak, J. Nowacki, J. Pałubicki, and R. Staniewicz, were called to the Voivodship Bureau of Interior Affairs and warned not to take part in the Poznań KOPP. In Piotrków Trybunalski ten Solidarity activists were detained in the police station while their homes were searched. They were questioned about the local KOPP.

Foreign journalists were also notified that "legal action may be taken against any [of them] who attend press conferences called by unlawful so-called human rights committees."[17]

KOPP Activities

The Warsaw KOPP has issued several open letters to the Prosecutor-General. A statement dated November 28 recalled the case of Hryniewicz, Zakrzewski, Mężydło, and Jastrzębska, each of whom had lodged formal complaints with the Prosecutor's Office concerning their abduction. On October 27 each had received a notice that the investigation had been discontinued. Though the document acknowledged that the victims had indeed been kidnapped, it stated that there was no evidence that police agents were involved, and that it could be ruled out that illegal Solidarity groups were responsible. The KOPP protested the insufficient investigation of these cases, which directly contradicts government assurances that all is being done to uncover the complete truth in such matters.

In a second section, the KOPP statement rejected the official prohibition of its activities as "Unfounded . . . because the KOPP is not an 'association' [in the eyes of the law]. . . . It has no organizational structure, statutes, or leadership and it does not collect membership dues. It is a loose group of people whose goal is to fight against any display of lawlessness or violence . . . and [it] will become redundant once the causes [of these problems] disappear. . . ."[18]

On December 18 the Warsaw KOPP directed a formal list of twenty questions to the Prosecutor-General on the Popiełuszko case. They asked about the chain of command that approved the overall surveillance of the priest, whether the defendants were following strict orders or acting on their own, how they carried out their objective, and various details about the reporting of the

crime to the authorities and subsequent release of information to the public.[19]

In Szczecin six KOPP members went on a hunger strike on December 29 to protest the arrest of a KOPP activist, Zdzisław Podolski, who was apprehended while entering his apartment and charged with assaulting a police officer.[20]

Implications

Even after discounting the official rhetoric about "the same old enemies of socialism from KOR and KPN," it is difficult to ignore similarities between KOPPs and previous opposition groups. The KOPPs' concern for political prisoners, for instance, recalls the committees which worked during Solidarity's above-ground existence to "free all political prisoners," the most well-known of whom at that time were the leaders of the KPN, Moczulski and Szermetiew.

The similarity of methods and goals between KOPPs and KOR was raised in an interview with Jan Józef Lipski that appeared in *Tygodnik Mazowsze*. Like KOR, the new committees set in motion a self-defense for society generally and for prosecuted activists in particular, by publishing data relating to acts of violence against individuals and by doing so publicly. Theirs is, admittedly a limited goal that does not plan to halt the violence altogether, but only to lessen its intimidating effects. Like KOR, the KOPPs' existence is a call to moral witness—"We simply want to show by example that it is possible to resist," Lipski said. When asked about the KOR-KOPP parallel, he replied, "Yes, this is in fact similar to the KOR formula and that is unfortunate. For every situation and every era there should be a new formula, but it's hard to find a person ingenious enough to have a completely original idea each time around."[21]

This tongue-in-cheek disclaimer, notwithstanding, the authorities have made it clear that the KOPPs are—or at least hope to become—a direct political challenge to the ruling elite. Lipski did not evade this issue: "Certainly, in a totalitarian country every act [of signing a protest petition] takes on political significance, because it raises the question of society's relation to the state, a given committee's relation to the state. But this is [the KOPP's] only political dimension. Our group does not intend to be political and has not set political goals for itself."

It must be said, however, that the KOPPs have drawn important lessons from the last decade or so of activity which "raised the question of society's relation to the state." It is significant, for instance, that membership of the new committees shows the durability of the worker-intellectual alliance forged by Solidarity. Secondly, the KOPPs' emphasis on public, non-violent response to attacks by the state's police apparatus reinforces Solidarity's faith

that successful, that is, long-term, resistance must be non-violent but at the same time must actively build alternative social structures. The recent success in establishing an alternative source of information concerning lawless acts of violence against individuals is an important step in that long-term direction.

Andrzej Tymowski

1. *Biuletyn Informacyjny*, Paris, No. 105 (23 Jan. 1985).
2. *Uncensored Poland*, London, No. 21 (1 Nov.), 1984.
3. *Tygodnik Mazowsze*, No. 104 (1 Nov. 1984).
4. *Uncensored Poland*, No. 23 (29 Nov.) 1984.
5. *Ibid.*, No. 21 (1 Nov.) 1984.
6. *Ibid.*
7. *Ibid.*
8. *Ibid.*
9. *Ibid.*
10. *Ibid.*
11. *Rzeczpospolita*, 3–4 Nov. 1984.
12. *Zycie Warszawy*, 8 Nov. 1984.
13. *Uncensored Poland*, No. 1 (3 Jan.) 1985.
14. *Ibid.*
15. *Trybuna Ludu*, 15 Nov. 1984.
16. *Ibid.*, 8–9 Dec. 1984.
17. *Ibid.*, 21 Nov. 1984.
18. *Uncensored Poland*, No. 1 (3 Jan.) 1985.
19. *Ibid.*
20. *Biuletyn Informacyjny*, No. 105.
21. *Tygodnik Mazowsze*, No. 108 (29 Nov. 1984).

THE FUNCTIONING OF THE SEJM SINCE DECEMBER 13, 1981

Jolanta Strzelecka

The Sejm (parliament) has never played an independent role in the communist power structure in Poland. With the election of its members closely controlled by the ruling Polish United Workers' Party, the Sejm has served as an ornament, intended to give the appearance of democracy and the stamp of legality to the decisions of the Party and government leadership.

In 1980, however, the situation changed somewhat. Several months before the birth of Solidarity, elections to the Sejm took place, and in March 1980 the Sejm began a new term, a term which has lasted until today and which will certainly go down in history.

Until August 1980 the new Sejm was indistinguishable from its predecessors. But August brought a revolution that penetrated even the walls of this institution. Between August 1980 and December 13, 1981, Sejm deputies asked the government more questions than in the entire preceding thirty-six years of People's Poland.[1] They simply felt that their role was beginning to count, that they were no longer there for the sole purpose of raising their hands obediently in answer to the question "Who is for?" The Sejm commissions came to life, and deputies attended many lively meetings with their constituents. Above all, the Sejm accepted and passed laws which originated, not with the government, but with various non-governmental groups (the law on workers' self-management, on industrial enterprises, on higher education, and on censorship). Many deputies took the side of these groups in the case of disputes with government representatives, albeit trying not to demonstrate their attitude too openly.[2] There were discussions about possible changes in the Sejm, about the creation of a second chamber.

On December 13, 1981, the revolution in the Sejm came to an end. There was no need for new elections. This very Sejm, the same people, undid what they had previously done. But even in the Sejm something from this revolution was salvaged. In answer to the question: "Who is against?" deputies began to raise their hands.

The current Sejm has already passed some 150 laws, of which

Jolanta Strzelecka graduated from law school at Warsaw University in 1969. She subsequently worked at the Institute of Philosophy and Sociology of the Polish Academy of Sciences. In 1976 she was fired, together with a number of others, for having signed a letter to the Sejm protesting against proposed amendments to the Constitution and because of her contacts with KOR. She then joined the editorial staff of the Catholic weekly, *Tygodnik Powszechny*. In 1981 she became editor of the legal section in *Tygodnik Solidarność*, returning to *Tygodnik Powszechny* after the imposition of martial law. She came to the United States in 1983 and is currently a visiting researcher at Harvard Law School.

about ninety have been passed since December 13, 1981. The purpose behind the changes brought about by this mass of legislative activity is now clear: to transform Party rule into the rule of the army, security forces and militia, to abolish the remnants of autonomy of state organs, to subordinate completely all associations, social, educational and academic organizations, and to turn all Poles into individuals devoid of civil rights, and obedient to all commands. This means, simply, that all the special privileges which the decree of martial law gave the authorities are being incorporated permanently into the legislation of the PPR.

On July 22, 1983, the WRON (Military Council of National Salvation) was able to announce that martial law (officially and literally, "the state of war"—transl.) was being lifted, because the political system had been fundamentally transformed both by *faits accomplis* (personnel changes in which most of the functions of political and economic administration had been taken over by military personnel) as well as by legislative changes. The latter included, for instance, the new law on the Ministry of Internal Affairs, the law on "workshirkers," the law on state secrets, changes in regulations concerning associations and freedom of education, changes in labor laws, in criminal law, and in the law on censorship. After the dissolution of most of the associations and organizations which had been in existence in Poland since almost 1945, the Front of National Unity (which had encompassed all the so-called organizations of working people of both town and country) was also dissolved—somewhat symbolically, so as to show that everything will now be different, and a new organization was formed: the Patriotic Movement of National Rebirth (PRON). Thus, after nearly forty years of "building a new political system," it was decided to start from scratch.

International law requires a return to the status quo ante after the lifting of marital law, but in Poland we see blatant violations of this principle. Nevertheless, it is worth asking whether the laws passed since December 13, 1981, are at all legal in terms of the laws and constitution of the PPR, or whether they simply constitute a continuation of the coup d'etat and were forcibly pushed through. The very passage of such a large number of laws (it is easy to calculate that one law has been passed, more or less, every week) indicates that Sejm deputies have been unable to influence their content or the manner in which they were passed, as there was no time for them to do so. Let us examine this issue more closely.

How Laws Should Be Passed By the Sejm

The way in which the Sejm should examine draft legislation is treated in great detail by the regulations governing the functioning of the Sejm.[3] These regulations are intended to ensure that the

Sejm at least has some influence on the content of the legislation that it passes, although it could be said that they are intended simply to ensure that the Sejm has the opportunity to acquaint itself with this legislation. During successive political crises in Poland, there has invariably been talk of increasing the role of the Sejm and its commissions as part of measures to improve the situation. This "increased role" has been limited to observance of the regulations governing the functioning of the Sejm and, in particular, to the way in which draft legislation is to be examined. The most important provision of these regulations (and the one that is most frequently broken) concerns the procedures for passing laws in two readings.

The first reading of a draft law can take place during a session of the Sejm or during a meeting of the appropriate commissions (e.g., a bill concerning education should be handled by the Commission on Education) and the Legislative Commission. The Presidium of the Sejm decides which form the first reading of any bill should take. The waiving of this first reading can only be decided by a plenary session of the entire Sejm. If the first reading takes place within a commission, then all deputies (i.e., all 460 deputies, not just the members of the commission) must receive a copy of a document in which the sponsor of the bill sets out the justification for the new legislation. A first reading during a session of the Sejm may not take place earlier than the next day after the delegates have received a copy of the draft. A first reading in a commission involves a shortened procedure: after the draft law has been discussed and any amendments have been made, the bill can be passed if all deputies receive a report of the commission's proceedings at least three days before the Sejm session at which the bill is to get its second reading. After a first reading before the Sejm, during which the draft law is presented, justified, and discussed, the bill is either rejected, or *only now* assigned to the appropriate commission for thorough discussion. Under this procedure all the deputies receive a copy of the draft beforehand; in addition they should also receive reports from the commissions three days prior to the "second reading" before the Sejm. The second reading can take place only before the Sejm. The commission which worked on the bill presents oral reports on its discussions, which should then be followed by a plenary discussion of the draft bill. Representatives of all parties as well as independent deputies usually take part in this discussion. After the discussion, deputies are allowed to suggest corrections, which should be voted on, and finally, a vote is taken on the entire bill.

The principle of examining bills in two readings was intended to give deputies the opportunity to acquaint themselves with legislative proposals, to discuss them and to suggest amendments. The infringement of this principle simply deprives deputies of the possi-

bility, not so much of a conscious vote (because party discipline is binding on members of all the parties during voting), as of any influence over the final content of bills or even the possibility of rejecting them.

If the first reading takes place at a meeting of a commission, after discussion the commission votes to accept or reject the bill or to propose its own amendments. Only a bill which obtains a simple majority of votes in the presence of at least half the members of the commission may be presented to the Sejm for its second reading. Even the Sejm which was nothing more than a rubber stamp during the 1960s and 1970s did not accept all the bills presented by the government. For instance, in the 1970s the draft of a bill dealing with so-called "workshirkers" was discussed many times by Sejm commissions, only to be returned to the government as inconsistent with the conventions of the ILO which had been ratified by Poland. The bill on psychiatry had a similar history.

Since December 13, 1981, the Sejm has not passed any resolutions allowing deviations from the above procedures; in spite of this, however, they have been violated many times.

The Constitution of the PPR (art. 8, para. 1) states: "The laws of the Polish People's Republic shall express the interests and the will of the working people." This means, among other things, that the electorate has the right to exert some influence on the legislative process. The Sejm deputies, who are responsible to their constituents and can be recalled by them (art. 2 para. 2 of the Constitution) if they do not fulfill their functions according to the wishes of the electorate, are supposed to seek their constituents' opinion concerning draft laws, indeed they are obliged to do so. The electorate ought, therefore, to be informed about the legislative intentions of the Sejm; this is its right.

The Constitution stipulates that meetings of the Sejm are open to the public. Closed sessions can be called by the Sejm if the good of the country warrants it. The regulations of the Sejm include a special procedure for calling closed sessions. Since December 13, 1981, the Sejm has never passed any such resolutions.

How the Sejm Has Functioned Since December 13

Since December 13, 1981, the procedures governing the examination of draft laws have been violated. The text of most of the draft bills have been kept *secret*! The press was not allowed to write about them; deputies have been unable to discuss them at meetings with their constituents . . . because the deputies have not known the contents of the draft laws either. They have usually received the draft texts and the reports of commission meetings just before the meeting of the Sejm during which the bills were to be voted on. The first time this happened was with the draft of the bill on trade unions, and later, in a much more intensified form,

the bill on state secrets, the bill on the Ministry of Internal Affairs, the bill on specific regulations during the suspension of martial law, and the bill on "specific legal regulations during the socio-economic crisis." Deputies received the drafts of the bills directly before the meeting of the Sejm. They also received, just before the meeting of the Sejm, any reports from commissions which had accepted the drafts.

In a speech to the Sejm on October 8, 1982, during the passage of the bill on trade unions, Edmund Osmańczyk discussed the strange methods of work in the Sejm. This was the first dramatic instance of this kind. Journalists were barred from the deliberations of the commissions, even though no closed sessions had been called. Deputies did receive the text of the bill three days before the meeting of the Sejm, but with the surprising notation: "Text for the use of deputies only." "Does this mean that this text is to remain secret until the law is passed?" asked Osmańczyk, "and for whom? On Wednesday, October 6, the censors did not allow journalists from the weekly *Polityka* to publish (under the dateline of Sunday, October 10) information about this bill, based on the above-mentioned Sejm report, which had already been quoted the day before by all the major press agencies and radio stations broadcasting in Polish—except, that is, for ours."(4)

Was the opinion of the electorate taken into consideration before passing this bill? The answer to this question (aside from the fact that the deputies certainly could not have presented the draft to the electorate, because they had not seen it) can be found in the report of the Legislative Commission and the Commission on Labor and Social Affairs for September 29–30, 1982, at which time the "first reading" of the trade union bill took place for the second time. The first "first reading" took place on December 10, 1981, and the second reading was scheduled for December 15, together with the vote on the bill. Martial law was declared on December 13, and the Sejm did not meet. On September 29, 1982, the Presidium of the Sejm, without any legal right to do so, announced that the commissions dealing with the trade union bill would deliberate in secret. Only the commissions themselves have the right to close their deliberations. At this closed session the government presented, via the Council of State, its proposed amendments to the text of a bill that had previously been agreed to by all of the trade unions existing before December 13, by Sejm commissions and by the representatives of the Council of State who had originally introduced the bill. A member of the Council of State, Kazimierz Secomski, stated on September 29 that the proposed amendments had been based on public opinion surveys. The results of these surveys were to be presented to the deputies by an expert from the Commission of Advisers to the Sejm, sociologist Witold Morawski. Morawski stated that: "Although the sociological studies of public

opinion with which I am familiar indicate that people are critical of Solidarity, nevertheless, the majority of people in all social groups accept this trade union."[5] Morawski did not, however, present the results of these studies. He said that he was unable to do so, but he did not explain why not. He asked that they be presented by Stanisław Ciosek, Minister for Trade Union Affairs. Minister Ciosek regretted that the deputies wanted to know the results of studies "which were conducted solely for leaders of the government, the PUWP and other political parties"[6] and stated that he would not give the deputies the results of these studies. The deputies instead heard that Solidarity had been taken over by foreign agents and that "We did not sign an agreement with a degenerated Solidarity, but with a protesting working class." And while Morawski, referring to these studies, had said that the majority of people supported Solidarity, Minister Ciosek claimed that only half the population did so. The deputies requested more precise information on the results of the studies and asked that these results be given to the Sejm commissions so that they could study them, but they received no reply. This is the "proof" which the government offered for its claim to have based amendments to the trade union bill on public opinion studies. It should be remembered that, in this way, amendments were introduced into a draft law which had been the subject of deliberations lasting over a year-and-a-half. Although the Sejm Regulations state that: "Directors of departments, administrative offices and institutions or their deputies are obliged, on the demand of commissions, to render accounts or provide information to them," Minister Ciosek appears to have decided—in keeping with the political tendencies in operation after December 13—that the government would not betray its secrets to the Sejm deputies, that the government was above the Sejm.

Similarly, the Deputy Minister of Justice, Lechowicz, also cited public opinion, which supposedly demanded the introduction of compulsory work for "social parasites." When he was asked when the opinion poll had been carried out, he replied—in the . . . 1970s.[7] Minister Lechowicz probably did not know that during the strikes in August 1980, among thousands of other demands, the demand for "compulsory work, work for parasites" had appeared only a few times.[8]

Also characteristic was the way in which the session of the commissions dealing with the trade union bill ended. At the end of the meeting, on the second day of discussions, during which other draft laws were also considered, a representative of the Polish Catholic-Social Union presented the Presidium of the Commission on Labor and Social Affairs with a document asking for an extension of the discussion on the trade union bill. The chairman of the Commission, Irena Sroczyńska (PUWP), did not present this request to the other members until late at night. "In

substantiation of this request," said Sroczyńska, there is reference to excessive haste in examining the draft bill, to the necessity to clarify doubts concerning many of the articles. In addition, it is asserted that, before being presented to the Sejm, the draft should be submitted for public discussion and should be evaluated, above all, by the Socio-Economic Council." In reply, deputy Adam Łopatka (representative of the Polish goverrnment at the United Nations) simply said: "I suggest we not return to completed discussions." This motion was not put to a vote; the Socio-Economic Council did not receive the draft for its consideration; the censor removed from the press even the smallest reference to this draft. Deputies did not receive the text of the bill for a "first reading," nor did they receive any commission reports before the second reading and the vote in the Sejm. They did receive a draft of the bill three days before the vote, with the notation that they were to keep silent as to its content. There could, therefore, be no talk of discussion of this draft with the electorate. It was "passed" in violation of all the rules governing the consideration of bills in the Sejm.

Nevertheless, the way in which the trade union bill was passed turned out to be too "democratic" for the authorities. During the Sejm meeting, a discussion was allowed, and deputies Janusz Zabłocki (Polish Social-Catholic Union) and Edmund Osmańczyk (independent) delivered dramatic speeches. Zabłocki demonstrated the illegality of the regulations contained in the bill and its inconsistency with international conventions ratified by Poland and with the Gdańsk Agreement. Osmańczyk pointed out the illegality in the procedures used to pass the bill and accused the government of having carried out a "coup d'etat" with dangerous consequences.[9]

Even General Jaruzelski, who can sit immobile for so many hours that one begins to doubt whether he is still alive, made several gestures indicating his great displeasure during these speeches. Bills that were passed subsequently—for instance, the bill on state secrets, on the Ministry of Internal Affairs, or the bill on the universal duty to defend the PPR (the so-called bill on the Committee of National Defense)—were all passed without discussion, in silence. The reporting deputy presented the justification for the proposed bill, and the Marshal of the Sejm, in violation of all the regulations of the Sejm, which call for discussion, called instead for a vote.

Out of 460 Sejm deputies, over one-half belong to the Polish United Workers' Party, over one hundred belong to the United Peasant Party, thirty-seven belong to the Democratic Party and the rest, around forty, are independent. During voting, party delegates are obliged to vote according to the party line. There is therefore, no doubt that every bill will receive a certain number

of minimum votes and all will be passed. These bills, however, were passed in violation of the procedural rules concerning the way in which they should be examined. The draft texts of all the bills which I have described were kept secret. It is unknown whether they were even discussed by any commissions, unless these were special commissions.

This was the case with the bill on passports, when both the Legislative Commission and the Commission on Internal Affairs unanimously resolved to delay presentation of this bill to the Sejm for its "second reading" until the members of the Constitutional Tribunal were appointed, so that the Tribunal could decide whether a number of its regulations were consistent with the Constitution.[10] In compliance with the Regulations of the Sejm, this resolution was binding and the proceedings concerning this bill were suspended. However, the Presidium of the Sejm called another session of the same commissions to discuss the proposed passport law. For unknown reasons—as usual—out of fifty-eight deputies who are members of these commissions, only eighteen were present. Of these, thirteen voted to introduce the bill to the Sejm, three voted against, and two abstained.[11] The regulations of the Sejm require that resolutions of the commissions be passed by a majority of a quorum made up of at least one-half of the delegates which belong to the commission. It was sufficient, however, for this bill to be introduced to the Sejm by a "Sub-Commission on Internal Affairs," which was nothing more than the eighteen deputies who had attended the meeting of the commission.

Amendments to the law on censorship were introduced in a similar fashion. Deputies were told that the general discussion on these changes was to be moved to September and that on July 28 the Sejm was to deal only with the tax bill. This happened on July 22, during the lifting of martial law. No one called the relevant commissions, nothing indicated that passage of these amendments was to be accelerated. A large number of deputies had not planned to attend the Session on July 28 because this was vacation season. There was, therefore, no danger that the deputies would convene the appropriate commission, because they simply were not in Warsaw. It is possible that the commissions might not have agreed to the amendments. This is indicated by the fact that the amendments were passed in the Sejm with nine votes against, and nineteen abstentions. A large number of the deputies who voted against or abstained belonged to the Legislative Commission. There was, therefore, a great possibility that these amendments would not have been put to the vote in the Sejm. Once again, therefore, they used secrecy and fraud. The deputies simply did not know anything.[12]

In the same way, on July 14, 1983, when the bill on the Ministry of Internal Affairs was passed in the Sejm, only about 200 of the

460 deputies were present. Thus, a bill which also concerned civil rights, in other words, constitutional matters, was passed by a simple majority, without the quorum usually required in such cases. Obviously, there was no discussion in the Sejm. The only voice heard was that of the reporting deputy. In a similar manner, without discussion, the general session of the Sejm passed the bill on state secrets, and on changes in the law on the universal duty to defend the PPR.

It was also quite usual to call a commission meeting at the last moment so that the deputies could not prepare themselves for discussion. For example, the day before the Sejm was to pass the law on the lifting of martial law and the laws concerning the "specific regulations" to follow martial law, the commission met at 6:00 p.m. and sat until 2:00 a.m. Voting took place the next day. It was, therefore, impossible to adhere to the Sejm regulations which stipulate that reports from the commission at which the first reading took place are to be delivered to the deputies three days before the final vote. In addition, those deputies who belonged to the PUWP, UPP and DP were obliged to follow party discipline, which meant that they were not permitted to take a stand in the discussion against the government's proposals. Finally, some law professors who wanted to testify that the bill was contrary to international agreements ratified by Poland were not allowed to attend the meeting. Professor Gubiński (Warsaw University) and Professor Kubicki (Polish Academy of Sciences) were escorted out of the meeting in such a way that none of the deputies would see them. The press was also barred, even though the commissions had not called a closed session.

The authorities also found a way to "correct" many bills. (I use the term "authorities" because it is not known exactly who was actually involved. Legislative proposals did not always originate with the government, which only sponsored them; deputies suspected that many laws were drawn up by the Ministry of Internal Affairs). An excellent example is the law concerning "workshirkers." It was passed according to procedures, in "two readings," after two discussions in commission, but it was so amended by deputies who were opposed to it that it could not be put to use; it simply became a "dead letter." Thus, aside from obligating the administration to register all men who were between the ages of eighteen and forty-five and who had not worked for longer than three months, this bill gave no basis for action against the unemployed. Almost a year later, however, the bill on "specific regulations" introduced compulsory labor. Article 12, para. 1 of that law states: "In order to safeguard the operation of communal and other basic public services, a voivodship people's council may declare, on either part or all of its territory, compulsory labor by those persons avoiding work . . ." This particular law, which has become a kind of second

"constitution," affects many areas of life, yet the Presidium of the Sejm convened only the Legislative Commission. At the last moment, those deputies who did not want to agree to all of the drastic changes introduced by the bill attempted to convene the appropriate commissions—for instance, the Commission on Education, in order to oppose the proposed measures which violate the notion of freedom of education. I believe, however, that they did not even notice the footnote which introduced compulsory labor by the back door.

Three days before the Sejm convened, some deputies also tried to amend the bill on the amnesty in order to include a larger number of people. They were partially successful, but, in exchange, they had to agree to vote for the bill on the "specific regulations," so they did not have time to read all of the proposed legislation carefully. And once again, all of these laws, along with the resolution to lift martial law, were passed in violation of the regular legislative procedures, without allowing the amount of time specified in the regulations.[13]

Can There Be Opposition in the Sejm?

Most Sejm deputies do not play an active role in legislative matters. A certain number clearly do not understand why some of their colleagues at commission meetings are constantly opposing the government's proposals, and they devoted themselves to proving that their colleagues in opposition are acting illegally. This is not surprising. The Sejm is certainly not an institution that represents the entire population. Nevertheless, a large number of deputies during the Solidarity period supported legislative proposals submitted by non-governmental groups. After all, the laws passed at this time included those on industrial enterprises, on workers' self-government, and on censorship. Sejm commissions also accepted a bill dealing with trade unions, which allowed access to the mass media, organizational pluralism, and the right to strike. As noted above, even during martial law, deputies were able to amend the bill on workshirkers in such a way that the passage of the law was not a danger to the citizenry—it was only a disgrace that such a law was passed at all. Therefore, all means were used to force deputies to be obedient, from enforcing party discipline during commission meetings to calling them before party tribunals.

For example, eight members of the Democratic Party who voted against or who abstained from voting on the trade union law were accused of violating party discipline. Those voting against the bill were: Maria Budzanowska, Jan Janowski, Halina Minkisiewicz-Latecka, Dorota Simonides and Hanna Suchocka. Abstaining: Jadwiga Giżycka-Koprowska, Zbigniew Kledecki and Szczepan Styranowski. Immediately after the meeting of the Sejm, the presidium of the Democratic Party caucus suspended their

membership rights in the caucus, which meant not only that they had no right to attend party caucus meetings, but also that they had no voting rights in the Sejm. Moreover, the presidium of the Democratic Party caucus introduced a motion before the Party Tribunal to expel these deputies from the party on the grounds that they had violated party discipline. Long before the Tribunal reached a decision, the Presidium of the Sejm called a meeting of all the Sejm commissions in which these deputies held positions of chairman or vice-chairman and relieved them of their duties on the grounds that the presidium of the caucus had declared its lack of faith in them. Apart from making it impossible for them to take part in the normal work of the Sejm, various attempts were made to pressure them on their home territory. They were threatened that their children would not be accepted at university, that this would harm their own political careers. Local meetings of the DP were called in order to condemn the deputies' behavior. Unfortunately, calling local meetings, even party meetings, is not a very effective tactic in Poland at the moment, because any meeting can turn out to be dangerous to the authorities. As far as I know, such meetings in Łódź turned into demonstrations in support of the accused.

An attempt was also made to condemn the recalcitrant Democratic Party deputies at the meeting of the party's Central Committee. However, aside from the presidium, it was difficult even there to find a majority which did not support the position of the deputies. Instead of condemnation, one could hear, if not outright words of support, then at least recognition that this group had the right to vote according to their conscience. And even worse, the lower-level Party Tribunal, made up of Judges Namysłowska from Bydgoszcz, Łukaszewski from Szczecin, and Bielecki from Tarnów, actually acquitted them. Above all, the Tribunal defined just what a violation of party discipline involved. It decided that party discipline can only be invoked if a democratic decision to impose it has been taken. In this case, the entire Democratic caucus should have resolved that party discipline would apply in the voting on this bill. This decision had, in fact, been taken only by the presidium of the caucus in violation of the democratic principles governing the operation of associations; therefore, it was not binding. Moreover, the Party Tribunal ruled that the deputies had not violated the Democratic Party platform (which had been drawn up during the party convention, held during the Solidarity period). The Tribunal based its verdict on the explanations of the accused. For example, deputy Koprowska-Giżycka stated that, as a lawyer and a judge, she could not vote for a bill which was contradictory to the principles of legislation already in force in Poland. If she had done so, she claimed, she could no longer carry out the responsibilities of a judge. Deputy Kledecki explained that, according to

the Constitution, his first duty was to all of his constituents and he was answerable to them. He knew the opinions of his electorate concerning the trade union bill, and he could not have faced them had he voted for it.

The verdict of the Party Tribunal, whose members had been specially selected for this case, and on whom the party notables could not impose their opinions, is perhaps the best proof of how far changes in Polish society have gone. It indicates that the authorities cannot effect change without using force.

The presidium of the party caucus then lodged an appeal with the Central Party Tribunal. The composition of the Central Tribunal was undecided for a long time, since many of its members refused to sit on this case. Finally, on June 30, 1983, eight months after the suspension of the deputies, the Central Party Tribunal reversed the decision of the lower tribunal and ruled that the deputies were guilty of violating party discipline, for which it pronounced the lowest possible penalty—a reprimand, even though the caucus presidium had demanded that they be expelled from the party. The Central Tribunal did not even deal with the issue of whether the deputies had violated the party line, probably because they wanted to avoid discussion of just what the party line was. It should be pointed out that the deputies were defended by well-known professors of law, as well as by one of the elders of the Democratic Party, a lawyer from Kraków, who began her presentation by speaking of Auschwitz, where she had been an inmate during the Second World War, and ended by demanding that it was rather the accusors who ought to be brought before the Tribunal for violating the democratic principles of the party.[14]

Obviously, this whole business was not meant to punish the defendents, but to frighten the rest. As there are only thirty-seven Sejm deputies who belong to the Democratic Party, a display of independence by eight of them was sufficient to alarm the party leadership that this "disease" might be contagious. Speedy punishment brought the appropriate results: the eight deputies soon found themselves isolated, and if anyone dared even to express support for their stand, he made sure to do so when no one else could hear. In spite of the fact that they were ostracized, these eight deputies repeatedly voted against other laws or abstained. The fact that they constituted a group with similar views was quickly noticed on the government benches; during voting, many ministers (including General Kiszczak, the Minister of Internal Affairs) stared hard at the Democratic Party benches.

Some deputies from the United Peasant Party also broke with party discipline, but, probably because they made up only a tiny percentage of UPP deputies, the party did not pay much attention to them. Five deputies from the Polish Social-Catholic Union (led

by Janusz Zabłocki) also voted against or abstained from voting. Zabłocki has already paid the price by being ousted as editor-in-chief of the PSCU weekly, *Ład*. It seems that General Jaruzelski's government has already convinced this group that there can be no legal opposition in Poland.

Those deputies who could not bring themselves to engage in such an open demonstration simply left the chamber during voting. This was done frequently by, for example, Halina Skibniewska, Vice Marshal of the Sejm, and Jan Szczepański, until recently the chairman of the Socio-Economic Council, a special commission established by the Sejm to evaluate particularly important legislative proposals. Only once—during a vote on changes in government personnel, when altogether about sixty people voted against the departure of two "liberal" ministers, Rajkiewicz and Tejchma—were hands raised in abstention even on the benches of the PUWP.

This shows that the number of deputies who think differently from the leadership is larger than is apparent. But can they do anything? If the work of the Sejm were conducted in accordance with the Constitution and the Sejm's own regulations, many bills would certainly not come up before the Sejm. Many deputies who do not dare to vote against the government's proposals in plenary sessions would find the courage to do so at commission meetings. But after December 13, the principle of party discipline was introduced even into the commissions. Not only were deputies obliged to vote in favor of proposed legislation, but they were forbidden to say anything in opposition. Party discipline consists, then, in the duty to remain silent or to support the government.

In addition, there were occasions on which meetings of certain commissions were simply not convened, or some commission members were not informed about a forthcoming meeting. The deputies' efforts to influence the content of legislation is the best evidence that (with the exception of the first version of the law on "parasites") they were unable to influence anything.

For example, before the passage of the first amnesty bill in July 1983, those deputies who had usually voted against the government agreed to vote for the law on "specific regulations during the socio-economic crisis" in exchange for a broadening of the scope of the amnesty (to include all women prisoners and prison sentences six months longer than originally proposed). As a result, a larger number of political prisoners were given a conditional release. In exchange, however, freedom of education was abolished, compulsory labor for those "avoiding work" was introduced, and virtual slave labor was imposed in more than a thousand of the country's largest factories without protest. The political prisoners who regained their freedom in this way were certainly not happy about the price that society paid for their early release. (One deputy, a professor of

architecture, was ashamed of voting for the bill and was sure that students would refuse to attend her lectures and that she would be obliged to abandon her teaching career.)

In the Sejm, opposition (even the "invisible" opposition in commissions) is impossible. Even if they want to influence the content of legislation, deputies are unable to do so. Only in the act of voting can they openly manifest their negation, but they know their vote will change nothing. By voting against the government, they are also condemning themselves—this will be their last term of office as a Sejm deputy.

Are Meetings of the Sejm Open?

The Polish Constitution stipulates that meetings of the Sejm are to be open to the public. However, during sessions convened after December 13, 1981, the public galleries were either empty or occupied by men dressed, it is true, in civilian clothes but in identical suits. The Sejm was also surrounded by a police cordon, which checked passes outside on Wiejska Street. Even the deputies had to show their identification. At the entrance to the building, passes were again verified by Sejm guards in the presence of the Security Service. A journalist who passed all of these "check-points" had to show his pass once more at the entrance to the press gallery. At one time reporters were admitted to the lobbies also; after December 13, this privilege was granted only to certain persons. Of course, all press passes issued before December 13 lost their validity. Thousands of journalists were deprived of their right to exercise their profession because the authorities had no trust in them. New passes issued by the Sejm guards made it impossible for "undesirable elements" to gain entry to the Sejm. On the other hand, press passes were freely issued to members of the foreign press, for whom government spokesman Jerzy Urban organized regular press conferences following Sejm sessions. These were designed to explain and demonstrate the democratic fashion in which the "Polish parliament," elected by the whole nation, was introducing changes into the legal system, changes which incorporated permanently into Polish law the powers accorded the authorities under martial law and which eliminated even those small freedoms that the Poles enjoyed before December 13. Thus, meetings of the Sejm really are open to foreign journalists because, even if they can speak Polish, they can make out nothing of the farce that is taking place before their eyes. They do not have access to the corridors, they talk only with representatives of the authorities, and they tell their readers what Minister Urban wants. Being in the United States for over six months, and reading the American press with some distress, I have to say that Urban's propaganda has been successful here. Urban knows how to satisfy the demands of the American press for a "story," and journalists do not have

to over-tire themselves in the search for material. From no story concerning legislation passed by the Sejm published in the *New York Times* have I been able to deduce exactly what is going on. It has to be admitted that *Trybuna Ludu*, the organ of the PUWP Central Committee, does a better job of this if you know how to read between the lines. The government is therefore quite safe in allowing foreign journalists to attend meetings of the Sejm. They are competent in depicting the process of normalization in accordance with the government's propaganda directives. This is not necessarily the case with Polish journalists.[15] To many of them, then, the Sejm was closed. All entrances and exits were guarded by the Security Service, which provoked complaints even from the Sejm's own guards, a special security service independent of the police and SB and subordinate to the Marshal of the Sejm. It was in this atmosphere, surrounded by a cordon of police and SB, that the Sejm enacted its laws after December 13.

The Constitution and the New Law

So far I have described the violation of legislative procedures. Of course, one might say that because the Sejm itself did the violating, perhaps it had the right to do so, since it is the highest authority in the country. However, the Polish Constitution (art. 8, para. 2) requires every state organ and every citizen to observe the laws of the Polish People's Republic. The Sejm is also obliged to observe the law. It could be said, therefore, that most of the laws passed by the Sejm since December 13, 1981, are illegal and the Sejm which passed them should be held accountable. But it is not only legislative procedure which has been violated. Most of these laws are also inconsistent with the legal principles in force in the PPR and with the Constitution, which has, in fact, ceased to be operative, since so many of its articles have been violated, especially those articles which concern the rights and freedoms of citizens. This is, however, a topic for a separate article. Here I would like to cite just a few examples.

I will start with the decree on martial law. Article 33, paragraph 2 of the Constitution gives the Council of State the power to declare a state of war. On December 12, 1981, the Council of State passed a resolution imposing a state of war. This it had the right to do. It did not, however, have the right to issue a decree setting out the detailed regulations of martial law, also dated December 12, at a time when the Sejm was still in session (art. 31 of the Constitution). At this time there were no regulations in force specifying the details of any eventual state of war. The decision on such regulations properly belonged to the Sejm. The next meeting of the Sejm during the autumn session was to be held on December 15. No decision had been taken to end this session. Thus the decree on the state of war, under which many thousands of people were

interned, arrested, and later sentenced to long terms of imprisonment, was simply without legal validity, and its ratification by the Sejm on January 25, the ratification of an illegal act, was also without legal validity.

The fact that the Council of State never actually signed the decree of December 12 is of little significance, because it never had the right to issue it in the first place. It is not true that the Council met on December 12. During the night of December 12-13, the police and Security Service, together with the army, delivered members of the Council of State to their meeting. Some of them came from a great distance. For example, the Chairman of the Council, Henryk Jabłoński, was brought back from the Kraków area, where he was spending Sunday with his family before meeting with the electorate near Kraków on December 15. The Council meeting lasted several hours and was still going on at midnight (as far as I can remember, Jabłoński arrived around 3:00 am).[16] Therefore, when—exactly at midnight—telephone lines were disconnected, air and rail transportation was cut, and the doors of Solidarity offices and the homes of its members were broken down, the members of the Council of State did not yet know that all of this was taking place on the basis of their own decisions.

Other laws can be divided into those which violate civil rights and freedoms laid down in the Constitution and those which violate the rules concerning the system whereby power is exercized in Poland. The first group includes, of course, the law on trade unions, on persons avoiding work, changes in the laws governing associations, higher education, and so on. The law on trade unions is contradictory to the idea of free unions (it makes the existence of a union dependent upon securing official permission) and, in addition, it imposes an organizational framework, a specific union structure. This violates the ILO conventions which Poland has ratified (convention no. 87 and convention no. 98, both ratified in 1956).

The law on so-called parasites violates the ILO convention prohibiting forced labor, ratified by Poland in 1958. The law on "specific regulations during the socio-economic crisis" violates the convention on working hours, the principle of freedom of collective bargaining, the principle of the equal right of all citizens to work, laid down in article 68 of the Constitution, and the right to rest, guaranteed by article 69 of the Constitution. It also violates the principle of freedom of education (Poland has ratified the Covenants on Civil and Human Rights), freedom of association, freedom of speech, the right to personal inviolability (article 87 of the Constitution), inviolability of the home, and privacy of correspondence (also article 87 of the Constitution).

Moreover, the law governing the introduction of a state of emergency, passed by the Sejm according to normal procedures in December 1983, enacted certain changes by establishing state organs

which are above the Sejm. This law belongs to so-called constitutional material and, as such, should have been enacted as an amendment to the Constitution. Deputy Rudolf Buchala (Polish Social-Catholic Union) referred to this in his speech to the Sejm, explaining why members of the PSCU were voting against the bill:

> The law must be uniform for everyone; it should apply to the authorities as well as to citizens and it must retain the appropriate hierarchy in legal norms: that which belongs to the Constitution should be included in the Constitution, and that which falls under norms of a lower rank should be regulated by such norms. . . . We believe that the concept of a state of emergency has to be a constitutional concept, i.e., the premises governing its introduction as well as its results, especially as they apply to the suspension or limitation of constitutional rights and civil liberties, need to be defined in the Constitution. Likewise, eventual changes in the structure and basic jurisdiction of state organs resulting from the state of emergency need to be defined. Above all, the Sejm should have constitutional supremacy over the administration of the state of emergency.[17]

This law applies not only to the rights and freedoms of the citizen but also to the rights of children. It establishes that children over the age of thirteen can be interrogated by the Security Service. Is this in accord with the bill of children's rights which was drafted and introduced before the United Nations by a Polish professor of law and Sejm deputy, Adam Łopatka? Surely not.

The same objections apply to the law on the Ministry of Internal Affairs, the law on state secrets, and amendments to the law on the universal duty to defend the PPR.[19] All of them change the structure and basic jurisdiction of state organs. They place the army and police above other state organs and subordinate the citizen to their jurisdiction, not just during a state of emergency but permanently. (The law on the Ministry of Internal Affairs states that the police and SB have the right to stop people, check their identity, search and detain them, not only when they are suspected of having committed an offense but also in the case of "other activities contrary to national security or public order"—art. 6, para. 1.) This regulation eliminates, then, the need for a penal code or the administration of justice, since not only can these powers be used in relation to acts not prohibited by law, but they are not subject to any controls. They do not need to be confirmed by the courts or even by the public prosecutor's office. Thus, a police or Security officer can decide what is currently forbidden in Poland, it is they who are to decide what is the law.

In conclusion, I would like to return to the speech, already cited

above, which Edmund Osmańczyk delivered to the Sejm on October 8, 1982, when the law on trade unions was passed:

> May it please the House. The great alarm that I feel and which I expressed in three questions addressed to the Marshal of the Sejm demands further substantiation, which I feel obliged to present to the House. I make no secret of the fact that I fear that the forms being used in this law on trade unions, which is of such great importance to society, are part of a very dangerous tactic, which I warned against here, from this very tribunal, on May 4 this year at the time of the dissolution of the Association of Polish Journalists, which took no account of the complexity of the matter or the damage to society. I said then: "If this is to be a model for the liquidation of other suspended institutions and the creation of new ones, then this is but an indication of the worsening of our crisis."
>
> Unfortunately, this crisis is indeed worsening. We are witnessing this on two levels simultaneously: politically, in the creation from above, and with the approval of the Sejm, of the so-called PRON [Patriotic Movement for National Rebirth], and socially, in the creation—again from above and with the approval of the Sejm—of a new trade union structure. In both cases we have acted without consulting society and without any in-put from the Socio-Economic Council, which was specially created precisely for such consultation.
>
> Yesterday in Pabianice, Deputy Premier Mieczysław Rakowski justified, in a most authoritative way, this new law, on which we have not been consulted, saying literally that these were not his views but those of "the state." Indeed, the speech maintained a tone of absolutist *raison d'etat*.
>
> Now we come to the point of today's historical controversy: Who is the state in the first place—the government or the Sejm? . . .
>
> May it please the House. My deepest conviction is that the main issue at this moment in history is not the future of the trade unions—although this is surely an issue of the greatest importance to the state—but an issue about which we have been speaking now for months: what should we do to reach an accord among Poles and to arrive at sensible solutions which have been consulted with the whole of society? It is not some indeterminate "rebirth of the nation," but genuine reform under the control of the Sejm that is the alternative worthy of serious consideration by the House at this historical moment.

> May it please the House. I have tried to raise these issues in the Sejm and beyond. But so far in vain. The possibilities of dialogue are becoming dangerously limited. At the request of the weekly, *Polityka*, over a month ago I wrote an extensive reply to the question: National rebirth or reform of the state? It turns out that, as yet, *Polityka* has been unable to print my text. Newspapers which have wanted to print exerpts of an interview on the same topic which I gave to *Głos Szczeciński* [Voice of Szczecin] have not been able to do so either.
>
> Are we dealing here with some kind of heresy? We are talking about three sentences which are the essence of my argument. I quote: "So far, all initiatives have emphasized the rebirth of the nation. This is expressed by the names OKON [Voluntary Committees for National Rebirth] and PRON. Meanwhile, in my opinion, the issue is more complicated—it is not the nation which has broken down, but the state that is out of order and in need of repair."
>
> Since I cannot, as an old journalist of People's Poland, present the public with such honest civic concern in the press, what can I do in this situation as an old deputy from the lands of Opole?
>
> I can only do that which I am doing today and will continue to do: to stand at this tribunal and stubbornly warn both those who govern and those who are governed of the dangers that threaten us all, dangers that are purely internal, that we have created ourselves.

"It is not the nation that has broken down, but the state that is out of order and in need of repair"—this sentence is the best diagnosis of what is happening in Poland, but this repair will certainly not be accomplished with the help of the Sejm, which already in January 1982 disenfranchised itself by illegally ratifying the Council of State's illegal decree on martial law. The Sejm is also "rotten," it too is part of this state. Deputy Osmańczyk received feeble applause for his speech, only a dozen or so individuals dared not to vote "for," a few others left the chamber in order not to vote at all, and General Jaruzelski expressed with a gesture his dissatisfaction at this insubordination.

Once again, I want to repeat that what is happening in Poland has nothing to do with the law, with the legal principles born of the European tradition, for which the law is not only an instrument of government but, above all, a fundamental element of the social order and to which not only the ruled but also the rulers are obliged to conform. In accordance with this interpretation of the law, it has to be recognized that the laws passed in Poland since December 13, enacted by force and contrary to the Constitution of the PPR,

are without legal validity. The Sejm which enacted them should be dissolved, and those persons guilty of violating the law should be brought to account for their actions. All those who have been accused of breaking the laws passed since December 13, 1981, have been accused illegally, and judges who have sentenced them should not be judges for a second longer. Unfortunately, we also know that there exists yet another legal system, a system in which the law is but an instrument in the hands of the authorities, and which imposes no obligations on the rulers, who are in no way bound by the law. It is with this type of system, in its purest form and without camouflage, that we are dealing today in Poland.

Jolanta Strzelecka
(Translated by Sophia Miskiewicz)

1. See Janusz Mordwilko, "Interpelacje i zapytania w Sejmie PRL po dwóch latach VIII kadencji," *Państwo i Prawo*, No. 11, 1982.
2. In one well-known incident a group of deputies asked government representatives to accept a disputed passage in the bill on workers' self-management on the grounds that, if the government refused, they would be obliged to vote against the bill and they did not want to demonstrate openly the divergence of opinion on this matter.
3. Uniform wording in *Monitor Polski*, position 94, No. 21 (May 10), 1976.
4. *Diariusz Sejmowy*, 8 and 9 October 1982, p. 13.
5. *Bulletin Nr. 626/VIII kad.* (Warsaw: Chancellery of the Sejm Press Department), 29 Sept. 1982, p.11.
6. *Ibid.*
7. *Bulletin No. 593/VIII kad.*, (Warsaw: Chancellery of the Sejm Press Department).
8. This observation is based on research on all the demands presented to the Inter-factory Founding Committee in the Gdańsk Shipyard during August 1980 conducted by Roman Laba at Harvard University. This shows that, out of 303 factories, only 3 percent demanded that "something be done with parasites."
9. *Diariusz Sejmowy*, op.cit.
10. The Constitutional Tribunal was set up in 1982. Its purpose is to examine new legislation to see that it is in accordance with the Constitution. So far, however, the Tribunal has not begun functioning, since no members have yet been appointed.
11. See the speech by Edmund Osmańczyk, reported in *Tygodnik Powszechny*, 18 Dec. 1983.
12. I observed the meeting of the Sejm on 22 July 1983 and discussed this matter with many deputies, since I, too, was anxious about whether I could continue my vacation.
13. Based on personal information supplied by Sejm deputies.
14. Based on the personal account of those present.
15. I observed meetings of the Sejm from 8 October 1982 to 22 July 1983 as a representative of *Tygodnik Powszechny*. (The only thing I could publish were the names of those deputies who voted against or abstained from voting, and the speeches of deputies criticizing the proposed bill on trade unions.) As a former editor of *Tygodnik Solidarność* I was viewed with some consternation by my colleagues.
16. Personal information.
17. *Rzeczpospolita*, 7 Dec. 1983.
18. For details of the first and last of these see "The Legacy of Martial Law," Poland Watch, No. 4, pp. 1–20.

POLAND REVISITED

David Ost

I arrived in Poland in early June and dropped in unexpectedly on a friend. We embraced, and were off at once, to a cozy little cafe near the center of the city, where young, smartly-dressed patrons were drinking Spanish wine and smiling, talking quietly but now without mirth. They were awaiting the singer's entrance, but not impatiently, for the atmosphere was quite pleasant as it was. The singer gave a fine performance, not omitting her "socially-oriented" songs, including one about why she returned to Poland even though martial law caught her abroad. The applause was polite and sincere. The singer left without an encore. My friends and I retired to a private apartment where we drank more wine, talked much about ourselves and laughed. It seemed a perfectly normal evening. And this was why I was so confused. It was the most "normal" evening I had spent in Poland in years. During the late Solidarity period an evening without politics was unimaginable. During the first year of martial law, clubs and cafes like these were either closed or boycotted. Here was an evening I could have had anywhere, and so it was surprising to have it in Poland.

Has "normalization" therefore succeeded? The problem with the question is its ambiguity. In Poland, social life is returning to normal; political life is not. In comparison to 1982, people have become more relaxed. In that first "post-war" year there was a general refusal to be happy, as if a smile would legitimate the repression by proving it could even momentarily be forgotten. People were determined to refuse to feel at ease until the political situation had changed. Today, these people have not accepted the political situation, they only realize that it will not be changed overnight, and that asceticism may only postpone the fall by creating a nation of depressed souls unable to mount any serious opposition. So public entertainment is OK again, artistic festivals are no longer boycotted, people are laughing more than before. Even the underground press announced special summer schedules to allow their activists to go on vacation.

This social normalization is aided by a marked increase in the supply of many basic goods, as compared to 1981–1982. Meat is now obtainable without torturously long lines; cheese once again comes in many varieties; shoes, stockings and sweaters, not long ago nowhere to be found, can now be purchased even in small cities and towns. The sight of cookies in a grocery store no longer triggers off an endless queue, although hundreds still wait patiently for a pound of unrationed chocolate. All this should not be confused with

David Ost was a Fulbright Scholar in Warsaw from September 1981 to December 1982. He is currently a Ph.D. candidate at the University of Wisconsin, writing a dissertation on political opposition in Poland during the periods 1944–1948 and 1980–1981.

a general economic upturn; even official statistics show that the crisis has not abated. Production levels of steel, iron or plastic, as of refrigerators, ovens or stereos are still perilously low. But basic items such as soap or laundry detergent, which had been virtually unavailable even when rationed, are now plentiful and available in any kiosk. Prices are of course considerably higher, and many families cannot afford all their needs. But for most it is a less exhausting and demoralizing task to consider options at home and then go out and buy something than to have to stand in endless lines for everything, and even then without assurance that the wait would be fruitful.

On the surface, life in Poland does appear to be "returning to normal." For those many people in any society who simply want "peace and quiet," it is easier to imagine this prevails than it has been at any time in the past four years. Astrology books are today a hot (not to mention legal) commodity; the Miss Poland pageant has become a popular annual institution. And such depoliticizing conservative pastimes are undoubtedly a key part of the peaceful "normalcy" of every West European country. Many people are convinced that nothing can change "in this part of the world," so just enjoy. Then there is the persuasive power of repetition. President Reagan says "America is back" so often, even after the press reports a rise in poverty and television shows more and more people in line for free meals, that the statement's credibility can no longer be challenged by evidence to the contrary. Similarly, Polish officialdom talks about "normalization" so much, that all the stark evidence and even published accounts about the population's continued dissatisfaction no longer seem to matter: "normality," in the eyes of many, is simply the name for the present reality.

"Normalization" is thus in a certain sense quite real, but the word does not tell us much about what is really going on. For ironically, this kind of normalization has helped to revitalize opposition life and strengthen the underground. The gloom of the first months of martial law led people to boycott not only entertainment, but politics as well. 1982 was a year of mourning. Just as at a funeral, when it is neither polite nor expected to criticize the deceased, so in 1982 Poles said a long Kaddish to the late Solidarity and largely refrained from debate about the union. There was a reluctance to be thoughtful or critical: reality seemed to be crystal clear, and a balanced assessment of the past and future would have blurred the categories of good and evil in which it was comfortable to think. This meant a breakdown of the perpetual reassessment that is at the root of critical, or political, thought. But as people get over the *shock* of December, they are able to discuss politics with all the unpleasant and sordid seriousness it demands. As social life becomes more normal, so can oppositional life.

Tygodnik Mazowsze deals with these issues in a fascinating

"interview with itself" conducted in its recent centenary issue. It notes the changes in the work and style of this key underground bulletin from issue No. 1 to issue No. 100, two-and-a-half years later. Many people got involved with the paper at the beginning of martial law, thinking it was only for a short time. "But time passes. One person does his doctoral dissertation, somebody else goes abroad on a scholarship, someone else has a child. . . . The paper is necessarily no longer top priority for every one of us at every moment. None of us wants to be a professional revolutionary, for various reasons." Yet the diminished devotion has not meant a diminished output or quality. On the contrary. "There has occurred a certain professionalization, stabilization and normalization of the underground," the *TM* editor continues. "The underground has an incomparably greater scope today than at the beginning of martial law." This means that contacts and meetings of activists are easier to arrange, and production and distribution channels of the underground press have become regularized, and so more certain. Another *TM* editor comments that the fact "that there is a normalization—but not the kind Jaruzelski wants—is a positive development. It means we can begin to do our conspiratorial work normally."(!)[1]

But what is this *other* normalization, the "kind that Jaruzelski wants"? That can be called the *political* normalization. Yet progress in political normalization seems to be retarded precisely by this progress in social normalization spoken of above. What is political normalization? No one quite knows for sure, but essentially it means the system running according to its pre-Solidarity rules, with a supremely powerful state reserving all right of initiative, and no uncontrolled opposition. What are the conditions for such normalization? It requires neither popular support for the Party (something absent in Czechoslovakia and unattainable in Poland) nor a well-functioning economy (endemic waste was a functional part of the pre-Solidarity "normality"). It may not even require a strong Party, for recent experience in Poland has shown that the leadership's orders can be carried out by army instead of Party personnel, while the facade of Party rule can always be maintained by the mass media. What political normalization requires is not that individual citizens accept the system, but that they believe that *others* do. Normalization in a state socialist country occurs when people believe that the will to change things is lacking.

Many people in Hungary and Czechoslovakia will say that the system is unacceptable. But they will not say that the majority of the population feels the same. In Poland, however, it is not simply the opposition that believes that most of the country is on its side. Even those who support the system continually voice their suspicions that most others do not. The government press spokesman can still not go through a press conference without speaking of the underground. Few messages, however, are as revealing as the

slogan posted prominently throughout the country before the June elections to the national councils: "YOU WON'T CHANGE A THING BY STANDING ON THE SIDELINES! VOTE!" The admonition that people will not succeed in changing things by boycotting is only an admission that people ardently seek a change. It is a slogan breathtaking in its candor, unthinkable in any other bloc country and proof of the meager progress of political normalization in Poland.

Poland is not the same country it was at the end of 1982. Paradoxically, however, the reason it is not the same is that it is the same. There is the same inertia: no reform from above, no lack of opposition from below. And it is precisely this immobility which then seemed impossible to imagine. Never before has a state socialist system been so unable to restore its hegemony after suppressing a major challenge. The situation is new, and even a bit hopeful, because the opposition is still so strong long after the government resorted to martial law to defeat it. It is of course smaller than during the Solidarity period, but immensely larger than it was before August. Objectively, a stalemate continues. Subjectively, therefore, the barrier of fear has been broken. What has become normal in Poland is not the old political system but the resistance to it.

Normalization requires the stifling of hopes, and the government is still putting most of its efforts into accomplishing this. In Puławy, for example, a group of farmers has been trying unsuccessfully for three years now to get permission to form production and distribution co-operatives. They had begun this quest during the Solidarity period, and they had met with representatives of urban Solidarity to discuss possibilities of independently organizing exchange between town and country as a way of alleviating the crisis.[2] The farmers, many of whom or whose parents had belonged to pre-war agricultural co-operatives, did not see the imposition of martial law as precluding the possibility of registration. But the obstacles have been insurmountable. It has been easier to found a private enterprise in post-Solidarity Poland than a co-operative one. What the authorities seem to find particularly unacceptable is these farmers' open commitment to the principles of the socialist agricultural co-operatives of the past. These principles do not easily allow for the outside interference the Party seems to consider indispensable in its dealings with independent associations.

To the chagrin of the authorities, old ideas retain their potency. Many factory self-management councils have rearisen, with greatly restricted powers, but even these have not proved reliable. Earlier this spring, council representatives from Poland's sixteen largest factories had planned to meet in Toruń to discuss the economic situation. But the police arrested the organizer days before the session was to begin and notified the others that it had been "cancelled." The problem was that it smacked too much of the

"Network," the Solidarity organization that brought together union representatives from these same sixteen plants. It did not matter that the meeting was not called by the underground or that at most only one person from the old Network would be present. The symbolism was considered too dangerous, the spontaneity too threatening.

Nearly three years since Solidarity was subdued, the government is still fighting the trade union movement. The trade union law of 1982, which delegalized Solidarity, allowed for the possible revival of trade union pluralism in January 1985. In 1983 the government "amended" the law, postponing this until the fall of 1985. As the deadline approaches again, the government is preparing to abolish the provision altogether. (Those who in 1982 voiced suspicions that this was precisely the government's intentions, were then accused of slandering the state.) Trade union pluralism, declared press spokesman Jerzy Urban at a Paris press conference on June 29, "has been a failure. It does not serve the real interests of the trade unions."[3] The government's position became even tougher following the July "amnesty," when so many trade unionists were suddenly back on the streets. On July 30 a leading Party ideologist wrote a major article in *Trybuna Ludu*, "On the Question of Pluralism," preparing the ground for the inevitable blow. "The demand for trade union pluralism embodied workers' demands in the fall of 1980. Pluralism in *those* conditions was a call for the rejuvenation of the union movement." And then the inevitable conclusion: "This slogan put forward by certain people *today*, however, in the *new* reality, when unions are *really* independent and self-governing, has a clear political character to it," and is aimed at something "quite far from genuine union activity" (emphasis added). Objective reality, it seems, has come to the rescue again.

As this piece on pluralism indicates, little original thought emanates from the Party. Unlike three years ago, the Party can now be fully trusted, but unlike three years ago, this hardly seems to matter. The Party continues in a state of disarray and even its own leaders, in private, see little chance of it soon being rebuilt as an authoritative institution. It is treated by the opposition more with supercilious disdain than venomous hatred.

Publicly the Party keeps saying that "ever increasing numbers" are seeing the wisdom of its course, but it seems to do so with ever decreasing conviction. The problem, as the Party knows, is that it has so little to promise. There has been no return to Gierek's "propaganda of success." The people are told that difficult times still lie ahead. That it may take 15-20 years to get an apartment is stated quite candidly. That it may take longer to get a telephone is admitted just as quickly. Never before has a Communist Party in power had so little to offer. And never before has one been so frank about it: "The Poland that lies between the Oder and the

Bug will be socialist or it will not be at all," says Jaruzelski, and the poster is plastered everywhere. He does not say it will be prosperous or fun or beautiful or free. It will only be "socialist."

Hardliners seek a return to ideology as the stuff that defines the Party. On a symbolic level, they seem to get their way. The Party increasingly tries to emphasize old Bolshevik values such as its "working class character," and the XVI plenum in early June was staged, as spectacle, to pay tribute to precisely such themes. It was an event the media could not get enough of for weeks: an "open" plenum, with non-Party workers hauled in to tell the Party "what the working class really thinks." (Such a purpose only underlines the crisis of the Party.) As expected, they told the Party it must be "strong," that "the working class wants leadership and decisive action," and so on.

The hardliners, however, cannot halt the tilt toward the Church that has been the central component of Jaruzelski's domestic political strategy.

They tried, and failed, to do so in Garwolin in the spring of 1984. The famous "battle of the crosses," over the right to hang crosses in public schools, seems actually to have been a provocation aimed more at Jaruzelski than at the Church.[4] This is indicated by the very way the conflict was triggered off. There was no new central legislation commanding the removal of crosses; such legislation was on the books, and unenforced, for many years. Instead, the school director took action "on his own," in a manner calculated to elicit an angry response and spark a confrontation. Not content to simply remove it from the wall, he literally threw a crucifix out the window, in the presence of witnesses. The style, so crucial in a country whose politics is so frequently symbolic, was completely antithetical to Jaruzelski's, who has always maintained a civility and respect toward the Church institution, especially on a symbolic plane. Garwolin was in a sense the prelude to the murder of Popiełuszko, both apparently provocations aimed at enraging and arousing a volatile Christian populace to a degree that would force the government to annul its rapprochement with the Church, or force a change in the government. (The opposition and intelligentsia showed an unfortunate reluctance to discuss seriously the genuine social and political questions raised by Garwolin. Even though few leading figures actually support crosses in public schools as a principle, none of them wanted to say so in public, demonstrating only their surprising lack of confidence in the tolerance of the people.)

The Party "moderates," meanwhile, have little to offer besides conciliation with the Church. One looks in vain for any "new ideas" that could galvanize even a tiny portion of the population. Some of their proposals are simply absurd. Kazimierz Koźniewski, a liberal Party hack and editor of the new weekly *Tu i Teraz* (Here and Now), proposed in its pages (July 18, 1984) that Poland display

"the courage of Lenin" and turn the country into a hi-tech economy. Well and good, but he seems to have no understanding that this requires something more than old Bolshevik bravery, such as infrastructure, or social peace. (And this is a man who ridiculed Wałęsa when he once spoke of a "second Japan.")

There are of course still many in the Party who want reform. The lower- and middle-level economic apparatus, often Party members out of necessity, would welcome genuine, rational economic and political reform. But none has been forthcoming. This leads to the question: why, if many Party people want reform, is there no reform? One answer is that the top leadership still feels society is too mobilized, too politicized. After the Solidarity experience, the authorities would dare to try a reform only if they knew they could control it completely. With underground culture flourishing, such guarantees are impossible to obtain. Stagnation is still the preferred alternative to autonomous mobilization.

History professor Bronisław Geremek, former adviser to Lech Wałęsa, feels the authorities do not initiate meaningful reforms because they essentially agree with the opposition on one crucial point: both are convinced that the system is irreformable.[5] The authorities are afraid to reform a thing, he says, "because they feel it will be impossible to stop there. So they do nothing." But sooner or later, Geremek believes, they will be forced to discuss significant reforms with society. They will do so "because they must," Geremek argues, pointing to the still unstable post-Solidarity status quo. "Because there is no other way out." Geremek thus feels that both the authorities and the opposition are wrong, and that the system can be reformed because it must be reformed for any semblance of social stability to be possible. (He assumes that a return to Stalinism is impossible.) When I asked him why he had not yet written about the Solidarity period, he answered that he does not think the Solidarity period is over.

Another reason for the lack of reform can perhaps be found in the system's changed social base. The imposition of martial law meant a sharp decline, in power and responsibility, for the Party as such, and a sharp rise for the repressive apparatuses as such. The military and the police amassed enormous power in their hands, as martial law required, but suddenly there was no higher political authority, even in theory, to which they were subordinate. Obviously, this created great problems in the top rungs of power, as the current power struggle, brought to light in the wake of the Popiełuszko assassination, makes clear. But the Jaruzelski-Milewski 18nflict only demonstrates graphically the collapse of the old Party. Jaruzelski, who worked his way up in the military, apparently struggles with Milewski, who made his career in the police apparatus, for leadership of the Party in which neither man had much influence until 1981. They fight over, and within, the Party only

because the Communist Party is the institution through which power must be exercised in state socialist, Soviet-type, societies. But the one real representative of the Party who was a contender for its leadership, Stefan Olszowski, whose classic, storybook Communist career took him from the youth organizations through the Central Committee and onto the Politburo, was demoted by Jaruzelski in the summer of 1982, with no objection from Milewski. Jaruzelski aligned himself with parts of the old Party, through Barcikowski and Rakowski (that alliance was what allowed martial-law to be executed as smoothly as it was, and such an alliance is probably what Milewski would need), but it is clearly the General who has been the major figure. The continued weakness of the Party is demonstrated by the fact that, with Olszowski out of the picture, no other Party man has made a play for power, although they made no secret, three years ago, that they considered Jaruzelski's stewardship only temporary.

It is not accidental that the man making the play for power could be Milewski.[6] Through his connections in the police apparatus, which has been so crucial in preserving the peace (i.e., the status quo) in unnormalized Poland, Milewski represented a center of power far more influential than the old Party apparatus, which continues to disgrace itself by its management of the economy. The economy is the one area that has remained almost continually under control of people from the Party. The economy, however, in perpetual crisis, has clearly not contributed to the cause of stability. Yet it is stability, law and order, that the post-Solidarity regime has been interested in above all else. And Milewski here could offer much more than Olszowski. It is Jaruzelski and Milewski, the army officers and the police, who represent the post-Solidarity regime's real bastion of support. And this narrow and peculiar social base may explain why even showcase reform has been stifled. These men have come to shine at last. They are reluctant to tamper with an arrangement that has fared them so well. As far as they are concerned, they have already reformed the system: the reform is the one they carried out in December 1981, replacing a bankrupt Party with an efficient military administration willing to be as tough with the "enemy" as was necessary. They feel they put an end to a shameful period of vacillation, weakness and indecision. (They look back to the Solidarity years in much the same way, and with the same words, as the American Right looks back to the Carter years. Each ruling group feels scandalized by its predecessor's irresolute behavior and the idea of a return to these periods fills each with dread.) When Poland's rulers hear talk of reform *now*, they see 1980–1981 all over again. Society demanded radical reforms and the Party, by tolerating this, kept giving way: both Solidarity and the Party are compromised in the eyes of the new

leaders. The only guarantee they have of not returning to such humiliating times is to not arouse society by initiating even coquettish reforms and not to allow power back to the Party per se.

A key part of the strategy of the post-Solidarity regime is the attempt to break the back of the opposition by using the Church. A central element of this policy is to try to stifle secular political thought by replacing it with Catholic thought. Two of the best legal publications that post-war Poland has produced, the weekly *Kultura* and the quarterly journal of the Institute for Literary Studies, *Teksty*, were dissolved after the imposition of martial law, while the same military authorities have authorized the publication of numerous new Church-sponsored journals. The Wrocław diocese began publishing *Nowe Życie* right after the Pope's visit in 1983, and other dioceses have founded their own papers. This year two ancient Catholic journals, *Przegląd Katolicki* and *Powściągliwość i Praca*, both of which were founded in the 19th century but have not appeared since the interwar period, were given permission to "resume" publication. The editorial boards for all these papers are selected by Church officials, and although certain figures from the secular intelligentsia are sometimes chosen, the journals are simply not as independent as the ones they have, in effect, replaced. *Przegląd Katolicki*, for example, could run an interesting and critical round-table discussion of problems with new school textbooks and, in the same issue, an embarrassing, hagiographic article on former Primate Hlond, citing "punctuality" as the most distinguishing feature of this highly controversial figure.[8] The Church may not be expected to criticize one of its own, but this is precisely the point. The Catholic Church in Poland is and has been too intertwined with the social, political and sometimes economic life of the country to allow for a fully objective picture of society to be presented by an organ subordinate to it. The same writers who once wrote for secular papers may now write for Catholic ones, but they will not be able to say all the same things. Even *Tygodnik Powszechny*, certainly the best paper in the country, has its systematic silences, as every paper must. And Radio Free Europe, by its own admission, is under strict orders not to criticize the Church. Except for Dawid Warszawski of KOS, there is almost no intelligent criticism of the Church (not to be confused with angry epithets thrown at Cardinal Glemp), and even Warzawski appears to be tiring of waging his lonely campaign.[9]

The reluctance to criticize this important bastion of national independence is understandable. But as the Church comes to play a larger and more conspicuous part in the legal life of this post-Solidarity state socialist system, silence is no longer the refusal to join a government-sponsored campaign of attack, but acquiescence in a certain tactical alliance between these two institutions, neither

of which is subject to social control. When the Church accepts the little privileges endowed it as a consequence of an official pro-Church tilt, then it has to a certain extent become part of government strategy, and one can no longer show one's rejection of the government by uncritically supporting the Church. (Solidarity's dealings with the government were necessarily quite different, for Solidarity was a democratic institution which could not make secret deals over the head of its constituents.) The authorities seem to have taken advantage of the national attachment to the Church to take action against the intelligentsia. As one veteran oppositionist put it, "intellectual life in Poland cannot be Bolshevized, but it can be Christianized." But even the intelligentsia seems little aware of the dangers.

The recent debate in the United States about the role of religion in politics, and specifically about whether Catholics ought to try to make their beliefs the law of the land has its counterpart in Poland. But the situation is such that even the moderate position of a Mario Cuomo is taken publicly almost only by the hard-line Communist press. Columnist Józefa Hennelowa recently made an appeal in *Tygodnik Powszechny* to ban abortions from the new public hospital in Łódź, a modern hospital that is being dedicated as a monument to Polish Motherhood. Two weeks later the hospital's chief architect wrote to *TP* saying that "prior plans have been withdrawn," and Hennelowa's request would be complied with. This hospital is Jaruzelski's pet project. He had called for a monument to Polish Motherhood soon after the declaration of martial law and the hospital is being presented as the realization of this call. And now, without any social discussion, Jaruzelski's hospital bans abortions in response to clerical pressure. Presumably, the intention was to avoid another Garwolin. In fact, the decision will only provoke one. For an abortion will inevitably, for some reason or other, be performed there. Or there might eventually be a decision to allow abortions there, on the basis that thousands of women should not be denied service at Poland's newest hospital. But now the Church has been promised something, so taking it away might well be considered a "provocation." And the opposition will probably agree, if only because it feels on principle that it is impermissible to side with the Party against the Church, no matter what the issue. Criticism of this specific decision has so far come almost solely from the Party hard-line press. "Not all women have to listen to the clergy," writes Krzysztof Dębek in the Wrocław weekly *Sprawy i Ludzie* (Issues and People), and he notes that not all women do, since there are already some 300,000 abortions annually. "It's impossible to turn back the clock," says the anti-Solidarity Communist *qua* women's liberationist, "to take from women the rights they have won and lock them up in a circle of

children, kitchen and Church."[10] Dębek is only slightly angry with the Church for proposing such a ban. He is enraged by the official acceptance of it. "Who governs in this country?", Dębek wants to know.

The Church is undoubtedly more present in public life today than at any time since the 1930s. But has there been a correspondingly burgeoning religiosity of the people? Statistics and observation reveal a marked increase in church-going; public opinion surveys show that people are more apt to say they are religious and will inevitably cite the Pope as a personal hero. But it is not so clear that all this demonstrates real religious devotion. My sense is that the Church's public pressure is many, many times greater than its private presence. That the Catholic Church in Poland is a national as well as religious symbol has been stressed time and again by every commentator on Poland. This is true, but it misses the point. The Catholic Church in Poland, and especially in state socialist Poland, is *more* a national institution than a religious one. In Poland one is a Catholic by birthright. One does not become a Catholic in Poland, one is born one. It requires little effort, vision or conviction, just an acceptance of the general ideological beliefs of the social environment. (This of course testifies to the astounding failure the Polish Communists have had in instilling new values.) A Pole knows he is not just a "Polak" but a "Polak-katolik." I know Polish Lutherans and even Jews who also put posters of the Pope on their wall and support the proliferation of church-building, not because they secretly revere Catholicism but because they are patriotic. The atheist Jan Józef Lipski told me that he, too, wants to be buried beneath the cross.[11] Women who never question their Catholicism will also not question their decision to have an abortion. Many thousands of devout Polish Catholics get divorced each year. Are these the signs of renascent piety?[12] In other countries the situation may be similar, but in other countries everyone speaks of a "crisis in Christianity," not of its triumph. Crises, of course, can be useful. They have the merit of sparking discussion in which the roots and nature of the "crisis" can be understood. Crises also tend to bring forth articulate prophets anxious to stave off the crisis by providing a new groundwork for belief, as has happened in Latin America. Crises clarify; reflexive piety obscures. The complex political configuration keeps religious problems in Poland hidden. Faith is reflected more politically than personally, more as support for the Church and for the increased clericalization of society (since after Solidarity the Church is the only "legal opposition" to the Party) than as a challenge to transform oneself. It is not accidental that one looks in vain in modern Polish literature for that kind of search for first principles of Dostoevsky's Alyosha Karamazov, or for that same grappling with the personal meaning

of Jesus that so obsesses Hazel Motes in Flannery O'Connor's *Wise Blood*. In Poland, all the answers seem to be written on the birth certificate.

The Underground

The question that always arises, in Poland and outside, is "What is the underground's *program*?" The underground has no program of action leading to "victory," nor does it have the prospect of drawing one up. Yet to decry this situation is to misunderstand the nature of the underground. The underground has no program because it in fact seeks no program. Sometimes it seems not to recognize this itself. But the underground chose very consciously to organize itself in a way in which it was in no position to draft a real program. It chose to organize itself not as a single political organization, and not as a central committee of a disciplined conspiracy bent on overthrowing the government. It chose to organize itself as an underground *society* rather than an underground *state*; as a loose, extremely decentralized movement which encourages all popular initiatives and is averse to strict organizational discipline. As it turned out, the debate over the underground's basic strategy was ephemeral, because the choice seemed so obvious. Not that it had to seem obvious; the fact that it did is undoubtedly due to the period that preceded it. The debate essentially consisted of the renowned exchange of letters between Jacek Kuroń, Zbigniew Bujak and Wiktor Kulerski in the spring of 1982. Kuroń argued for the organization of the underground as a serious conspiratorial center that should prepare, organize and direct a national uprising to overthow the regime. Bujak and Kulerski responded by calling for the creation of an "underground society," by which they meant the self-development of myriad independent social organizations, under no central leadership and with no one specific goal, whose mere existence and co-existence was to point the way to the democratic future. The proposal was similar to the principles (which an earlier Kuroń helped formulate) of the pre-August opposition, which de-emphasized political struggle in favor of independent social action that would attempt to beat the system by ignoring it, hasten the coming of the future by anticipating it in the present.

Kuroń's appeal had the merit of clearly spelling out one possible road for organizing the resistance in the new period. As it turned out, it spelled out this road so clearly and dramatically that activists knew at once that they disagreed. When the budding and inchoate underground read Kuroń, they seemed to know at once what they must not do. The crucial initial debate over the nature of the underground was over just as soon as it began. No other thinker or activist of any repute, and no organization of any influence, took up the defense and propagation of Kuroń's program. Even the

militant, right-wing tendency that would consolidate around the group *Niepodległość* (Independence) did not defend Kuroń's surprisingly militant position, though this was probably in large part because it so distrusted him. By 1983, *Niepodległość* was proposing a radically alternate conception of the underground, as a militant, centralized organization rejecting the very possibility of compromise with the Communists. But the essential form of the underground had already taken shape, and *Niepodległość* could only take its place as one group within many, forced to participate in this loose underground pluralism whose very premises it identified as the problem. Bujak and Kulerski's call for the creation of the underground society thus became the accepted theory and practice of the underground. In retrospect, it is astonishing how simply this historic decision was taken.

If the strategy is for the development of an underground society, however, there cannot be a single program or strategy of action. Those, even in the underground, who bemoan the lack of a "program" today, seem not to realize that the Polish opposition itself chose a strategy that precludes the possibility of one. A decentralized network of social organizations that includes publishing houses, tiny conspiratorial Committees of Social Resistance (*KOS*), illegal Solidarity trade union cells at factories, editoral boards of regional newsletters and actors' circles all as equal cogs of one nascent underground society, is in no position to draft and follow through on one coherent political program.[13] By choosing the underground society, the underground in a sense puts itself in a position similar to that of legal Solidarity, which would not and could not articulate one grand strategy, one concrete program of political transformation, because it was too unwilling to alienate particular groups within the mass. (The leadership in the end followed rather than led the rank and file. The rules of democracy were too rigorously respected to allow one point of view in the leadership to triumph over the others. The union staked so much on compromise that it would not become authoritarian even when the situation might have demanded it.) The difference is that Solidarity did not do so largely because of moral constraints, whereas the underground now is unable to propound and implement a program even if it wanted to, because it is so decentralized and diversified.

Yet people still *expect* the underground to have a single strategy.[14] This is partly the underground's own fault. When Zbigniew Bujak says, "I feel I belong to the generation which will overthrow this system and begin to build a new one,"[15] he sounds as if he might have a real program (although it is no accident he says "generation" and not "movement"). He creates a situation where his future steps will be seen as a retreat. If he speaks like a militant revolutionary, people will expect him to act like one. But he has no intention of acting like one, for he still disagrees with Kuroń.

The underground is, not surprisingly, often said to be "retreating" or "on the decline." My judgment is that it is expanding—but it does so quietly, not in the visible ways of a political opposition. One underground activist, upon hearing Bujak's comment, told me, "Wrong. We may not actually overthrow this system, but we have already begun to build the new one." This is the underground's "strategy." It is not a strategy that can overthrow a government. It is a method of struggle that can succeed only through a compromise with a government, or a demise of the government caused by external events.

Broadly speaking, the Polish underground can be divided into four groups: known leaders in hiding, local activists who work anonymously or pseudonymously, organizational assistants, and consumers.

Thousands went into hiding with the declaration of martial law, but today the number has dwindled to perhaps a couple of dozen. Many were ultimately arrested, others surfaced on their own once martial law was suspended and it became clear that oppositional work could be carried on without the enormous burdens of a total underground life. For those who remain in hiding, particuarly those in the Solidarity Interim Co-ordinating Committee, their continued underground existence is considered a symbolic victory for the old Solidarity. They sign their names to appeals and are still considered the heart of the Solidarity underground. This tiny group constitutes the "official underground" in Poland. They are the link to the elected leadership of legal Solidarity and are in hiding all the time. The real strength of the underground, however, lies with the other groups.

The local activists, numbering several thousand, include publishers and writers of the underground press as well as organizers and co-ordinators of the numerous small conspiratorial circles that distribute the press and execute activities either suggested by the "official" underground or decided upon by themselves. These men and women, usually in their twenties and thirties, complement their legal existence with a conspiratorial one often concealed even from friends. There are essentially four kinds of conspiratorial groups in which they might be active: 1) secret Solidarity trade union branches, which exist in many workplaces, including most factories. Although unable to negotiate with management, these trade union cells (something like the "workers commissions" in Francoist Spain, which have in fact been a model for many Polish opposition theoreticians) publish factory newsletters or distribute other underground press, collect dues (albeit from a declining number) and try simply to persevere; 2) underground cells of five to ten persons, based on acquaintance rather than profession, which may distribute literature, draw up posters, organize lectures, etc.; 3) political organizations, not claiming to "represent Solidarity"

but claiming to be working towards the same general goals, a claim not difficult to substantiate given the diversity of opinion within Solidarity. Ranging from anarchist and social-democrat to Christian democrat and conservative, these groups publish journals, propose programs and vie for influence in the underground at large; and 4) local co-ordinating groups bringing together representatives from the other organizations.

Those I call "organizational assistants" are those indispensable individuals who help with numerous vital tasks, such as procuring materials (stencils, paper, ink), finding safe houses, etc., but who refrain from permanent, full-time commitment. This group probably numbers in the tens of thousands.

Finally, "consumers" are all those to whom this broad underground speaks, perhaps as readers of the uncensored press or audience at uncensored artistic presentations. The number of at least occasional consumers of underground culture runs in the millions.

The Polish "underground society" today publishes over 250 periodicals, ranging from mimeographed factory newsletters and local discussion bulletins to offset regional and national weeklies and theoretical journals. There are at least a half dozen independent publishing houses, publishing novels and short stories besides political tracts and essays. Independent educational activity, in the spirit of the socialist learning societies of the past, revolves around an expanding network of lectures and discussion groups, usually taught by professors and assistants from nearby universities. The underground has even begun printing postage stamps and minting coins, selling them as collectors' items to raise money for other activities.

In 1982 the underground press was written mostly in a moral language which, although not alien to Polish culture in general, was in stark contrast to the serious political, realistic (even if simultaneously utopian) writing of the late Solidarity period. Today, the level and quality of the press have progressed to a point where there can at last be serious internal debate aimed at hashing out fundamental political questions for the opposition. The problematic area of international affairs has now provoked one such interesting and important controversy. The influential underground paper *KOS* has issued a strong protest against a manifesto called "Charter 84" issued by the Solidarity underground Factory Commission at the Lenin Shipyards. The "Charter" consists of three parts: "An Appeal to Poles," "An Appeal to the Governments of the USA and Great Britain," and "An Appeal to the Russians." The first part, charges KOS, is a summation of the utter saintliness of the Polish people. As commentator "L" writes, "Reading this fragment, one is amazed that the entire Polish nation wasn't beatified long ago. St. Augustine and St. Francis sinned in their youth, but the Poles apparently,

from the moment of conversion, have been the complete personification of virtue."[16] The appeal to the Western governments calls on them to disavow Yalta. But the section that has provoked the most uproar, and some of the most vituperative protests made by one part of the underground against another, is the "Appeal to the Russians." It is not addressed to the Soviet government, just to "the Russians." It is not an appeal but an attack. In a manner that enrages KOS writers "L" and Dawid Warszawski, the authors of the appeal make no attempt to distinguish between the Russian people and the Soviet rulers, but simply charge the Russian people for all the crimes against Poland. "We charge you with doing everything you can to enslave us," reads the "Appeal." "You try to take God out of our lives. . . . You seek to drag us down to the pits of your own moral emptiness." This last line, says "L", is enough to make the "Charter" a "shameful document." Warszawski is outraged by the entire manifesto: "This mixture of political naivety towards the West, exalted self-adoration towards one's own past and present, and arrogant contempt towards the East is the stuff of all the nightmares of Polish politics. Of course it is true that such a mixture is the last refuge of Polishness, particularly at moments of extreme danger," continues Warszawski, "but this is only one more nightmare. The fact that such a vision receives the approval of without doubt the most important TKZ [underground factory commission] in Poland is not without its significance, and is deeply disturbing."

Moreover, says Warszawski, the deification of the Polish nation ignores too much of Polish history, such as expansionist tendencies towards the Ukraine and Lithuania, unjust military regimes of the past, etc. "Just as it is true that the ultimate source of power in Poland is in Moscow, so it is true that in Poland Poles govern—and with a rather large margin of latitude at that. Whoever does not understand that understands nothing of our present condition. . . . The worst part," concludes Warszawski, "is not that [the 'Charter'] is a false vision, but that the authors seem sincerely to believe it." Both "L" and Warszawski see the document as extremely damaging to the Solidarity cause and call for its disavowal, particularly by Gdańsk Solidarity. (I have been unable as yet to find a response.)

Underground culture is not limited to the printed word. An extensive network of artists and actors stage plays, concerts, poetry readings and art exhibits in private homes and church basements. These presentations are entirely free of state censorship. Whether they are entirely free of self-censorship is more problematic. On the one hand, the desire to maintain the myth of national unity advises that some controversial topics (i.e., criticism of those institutions the Party criticizes) be passed over. On the other hand, as Barańczak has noted, censorship is still present when one writes consciously in opposition to it. He observed that he only began to

write free from censorship when he stopped thinking about censorship altogether.[17] Underground culture seems to stumble on the first count, but to be passing rather successfully through the second obstacle. The real mark of the maturity of underground culture is that much of it could be published, or performed, officially. It is not simply the negation of censorship, it is the display of the utter irrelevance of censorship.

Yet few are those who think that the goal of the underground society can be realized fully. Even though underground culture reaches ever increasing numbers, it is still only a small percentage of those who consume official culture, through radio, television, cinema, schools, etc. The country is too large, control too great, and too much of the population too isolated from the largely urban centers of underground culture for official channels of communication to be rendered impotent. In contrast to 1982, therefore, artists are more frequently utilizing the state-owned media, trying once again to push the limits of official permissibility. The actors' boycott has been replaced by a moral injunction not to participate in propagandistic spectacles, but it is up to the individual to judge.

The New Underground Activist

What makes the perseverance of the underground particularly impressive is that it is the work of activists very new to this kind of struggle. The veteran oppositionists, as well as those who became important leaders during the Solidarity period, were imprisoned in December 1981. If a serious resistance were to be mounted at all, it had to be done by people who had no experience doing so. No one writes articles about these new activists, not only because they shun the limelight but also because they do not have the contacts with the foreign press that the pre-Solidarity opposition had. This stems from their different class base. The pre-August opposition was founded by, and rooted in, the critical, humanist intelligentsia, well-travelled, multilingual, and acutely aware of the need for a good foreign press (much of which filters back into Poland on short-wave radio). It had made some inroads into the working class, particularly in Gdańsk and Silesia, but its most consistent support came from the intelligentsia, including professionals and technicians whose desires for rational reform were continually frustrated from above.

The underground since martial law, however, has largely been organized by, and rooted in, the working class. This is due in part to the inefficiency of the police. Since internment lists were drawn up many months before martial law was actually imposed, they included intellectuals active *before* Solidarity, even if they had since ceased their activities, and omitted many workers who had become politically active only during Solidarity. Of course, many intellectual activists from the pre-August generation managed to avoid

arrest, too. They often became the founders and writers of the major, semi-official bulletins like *Tygodnik Mazowsze* or *Tygodnik Wojenny*. A quote from *TM* cited above—"one person does his doctoral dissertation, somebody else goes abroad on a scholarship"—confirms the relatively privileged class position of the journal's chief organizers. But undertakings such as *TM* would have been irrelevant and in vain were it nor for a carefully constructed underground infrastructure to print and distribute the bulletins as well as to maintain the ideas and the spirit that keep the movement alive. The underground is only as strong and important as its base. And the construction and expansion of this base has been made possible above all by the workers. In many cases, they were the only ones who thought it possible to continue Solidarity's work. They thought it possible because they felt it essential. Intellectuals and pre-August oppositionists seemed to be far more impressed than the workers by the government's December show of strength. Moreover, in contrast to the newly politicized workers, the pre-Solidarity intellectual oppositionists were a lot more able to imagine a return to the past. For many of them the Solidarity period was always something impossible, something which, if they understood this system right, should not be allowed to happen. December was a lot more "normal" for them than August. The sixteen months in between did not change them as much as it changed the working class. The intellectual oppositionists could always go back to being intellectual oppositionists, just like before August. But what could the workers go back to? They were changed people. They did not know how to be oppositionists, politically conscious and politically active, in a Poland which permits neither. They could not, like the intellectuals, wait for a return to the old ways because, for the worker activists in particular, there were no old ways. They were different people now than they were before August. Martial law may have provided the objective conditions for a return to the old, but not, as far as so many workers were concerned, the subjective conditions. The Solidarity press frequently wrote of the "revolution in subjectivity" which August had precipitated. By this they meant the ignited awareness that people could initiate things on their own without waiting for orders or permission from above. The change was not only internal: workers had experiences with a changed social world, too, where the plurality and debate of political views and concrete proposals became a fundamental part of lived reality. When even *Trybuna Ludu* ran "Statement of Solidarity" alongside "Statement of the Government," monolithicity lost its hegemony forever—or at least as long as the generation now in its twenties and thirties is alive.

Jacek, a 30-year old metal worker from a city in central Poland, was not at all involved in politics before 1980.[18] "I had heard that there were such people as oppositionists," he told me in the tiny

apartment he shares with his wife and two small children. "I even read one of their newsletters once. But I thought they were all a bit crazy and didn't pay any attention." But as a worker, Jacek could not help but be aware of the waste in his own plant, the corruption of his superiors and the lies of the official media when it spoke only of great economic success. He belonged to the trade union ("because that's what one did then") but when the opportunity to form independent unions came in 1980, he knew what he had to do. Jacek was not a founding member of Solidarity at his plant, but he joined the new union at once, and after two months was elected to the five-person Factory Commission. He concerned himself chiefly with rooting out corruption at the plant. Jacek served in the Factory Commission until the imposition of martial law, when he was warned by the police but not interned.

The Solidarity leader at Jacek's plant, a fiery militant who had devoted much energy to the expulsion of the Party from the plant when this became an issue in late fall 1981, was interned at once. Jacek took it upon himself to do what could be done in the difficult first months of the war, which mostly meant maintaining contacts and passing along information. "I didn't want to be too active at the time," he says, "because I felt some of us from the plant committee should try to stay out of jail." In June 1982 the local leader was released from internment, and surprised all his friends by his decision to emigrate to the West. The "radical" and "fundamentalist" turned out not to be so radical, after all. Jacek was stunned. The vacuum of leadership meant a new burden of responsibility. "It just seemed that someone had to take his place, when there was so much to be done and suddenly so few people left to do it." But Jacek felt awkward with his new responsibility. Unlike the plant leader, he did not feel he knew all the answers. He felt that he had read too little, that he understood too little. He was not sure if he favored fighting for free elections to the Sejm; he did not know if it was right to demand full independence for Poland. Of course both were desirable, but during the Solidarity period he had read and heard various opinions on whether the union should raise these issues, and he was still uncertain which position was correct. He was not sure whether or when he favored private, state or group ownership, and did not know if Western credits were a good or bad thing—for again he had heard good arguments on all sides. The interned factory leader, however, had had answers for all these questions, and Jacek at first felt that, with his new responsibility, he should have them, too. But he knew the only way he could get answers was by hearing more discussion, and the only way there could be such discussion was by fighting for the right to have it, publicly, in the press, in the conference hall, on the radio—at least as much as during the Solidarity period. There was much other work to be done as well, work less grandiose

but of more immediate concern, such as improving working conditions or making the job more meaningful: he did not want to abandon these goals, either. But if anything were to be done, he knew it required independent trade unions. So Jacek plunged back into activity—organizing union work in the factories as well as printing and distributing political texts and underground bulletins.

Jacek does not publicize his activity even among his friends, and many of his co-workers think he has given up political activity. But he likes it that way, he feels he can be more effective that way. And besides, he does not want to be a leader. Even today, after he has done so much to keep the union alive, he still does not see himself as a leader. What would he do if Solidarity were suddenly re-legalized? "We've been talking about this lately," he replied. "The answer is—nothing. I'd take a vacation, finally, and then come back and see what the situation is. I don't feel that somehow I am the rightful leader of Solidarity just because I have done this, this and this when many other people haven't. No, no, no, that's not what it's all about. I'm not cut out to be a leader. I'd gladly serve in the union again, but the workforce must want me on the basis of my merit, not my activities in the underground. Besides," he continued, "people won't know what I've been doing. We won't be going around saying 'I did this' or 'I printed that,' that this one was my comrade and that one was not. Some people made that mistake before. We've got to keep all this secret, because we just can't know when it will all be necessary again."

The thousands of people like Jacek, who make up the heart of the present underground, are the true offspring of Solidarity's "self-limiting revolution." Their modesty, lack of personal ambition, toleration of and even insistence on diverse viewpoints are the products of the massive process of democratization from below that was the defining feature of this period. That they can admit they do not know the answers while previous activists, including many suddenly elevated to leadership within legal Solidarity, often felt compelled to have ready answers for everything, testifies to the different formative conditions of each group. It is the difference between a generation which matured politically in a milieu marked by the domination of a single Party claiming a monopoly of knowledge and using a tight censorship to enforce it, and a generation which matured at a time when the government was suddenly not all-powerful, censorship was in ruins, and free political discussion and initiative took hold everwhere. In the first case, the system breeds an opponent that is often its mirror-image: intolerant and convinced it alone is right. There is no mirror-image of the democratic, somewhat anarchistic free-for-all that marks the second period, a period common to all revolutions. Or rather, the mirror-image is the same image. Activists like Jacek do not wish to prevent anyone from speaking. They gladly distribute underground bulle-

tins of the most diverse and even antagonistic viewpoints because they know, thanks to the sixteen months of freedom/revolution, that one can develop one's ideas only in conditions of full freedom of expression.[19] They know that no one has a monopoly on truth, not even a national hero, and not even the Polish nation. This new generation of activists strikes me as a lot more willing to learn from other experiences and other countries than many previous activists have been. For when they began thinking in the more complex categories that inevitably come when politics can really be changed and not just criticized (which was the subjective experience of the Solidarity period), they stopped thinking in the black-and-white categories that marred the thinking of many previous activists. The international arena thus seems more complex to many of the new working class activists than it does to many intellectuals who matured in a previous period. The former often recognize the legitimacy of Third World revolution more than the latter who pride themselves on their far-sightedness but see only the Soviet Union everywhere.

The Solidarity experience has created a kind of oppositionist different from any East Europe has seen before. These men and women are the basis not only of the future independent trade unions, but of a future democratic polity.

David Ost

1. *Tygodnik Mazowsze*, No. 100 "TM—Wywiad z samym sobą."
2. See the discussion in the "Życie i Nowoczesność" supplement of *Życie Warszawy*, November 1981.
3. *Trybuna Ludu*, 2 July, 1984.
4. This account is based on a conversation with Jadwiga Staniszkis in Warsaw, June 1984.
5. This account of Prof. Geremek's views is based on a conversation with him in Warsaw, July 1984.
6. One Polish political observer, currently visiting the United States, speculates that the Jaruzelski group knew of the plot to kill Popieluszko, and let it happen in order to use the event to eliminate Milewski and his people from a position of power. This could explain the lightning speed in which the perpetrators were apprehended, and the apparently smooth and pre-meditated way in which Jaruzelski was able to wrest control of the police away from Milewski.
7. A chance encounter on a Warsaw-bound train with an army colonel this summer revealed him to be the most contented, fulfilled man I have ever come upon in Poland. His every gesture exuded a rare composure, self-confidence and supreme self-satisfaction, similar to that of a successful American banker.
8. *Przegląd Katolicki*, 15 July 1984.
9. Warszawski wrote a strong polemic against Church politics past and present in *KOS* No. 50 (27 Feb 1984, translated in *Poland Watch* No. 6, pp. 87–91), only to retract it partially under criticism from "Anna Kościelna" in No. 57 (June 1984). In the same, later issue, Warszawski also begins to retreat from his position in support of the Western peace movement, saying that his numerous domestic critics may be right after all. (See Andrzej Tymowski's discussion in *Poland Watch* No. 5). One problem seems to be that Warszawski has almost no one to engage in a friendly dialog with.

10. *Sprawy i Ludzie*, 7 June 1984.
11. Conversation with Jan Józef Lipski, Warsaw, June 1984.
12. One opinion survey I saw this summer in Poland provided a typically contradictory picture, though not just on attitudes toward the Church. Of a sample of Warsaw steel mill workers, almost all said they were believing Catholics and had been members of Solidarity. Their specific answers, however, were often at wide variance with the professed values of such institutions. One question asked, "Do you feel one should be ready to risk one's life in defense of—", and six values were listed: family, justice, religion, fatherland, friends and social idea. Almost all (out of the some 200 questionnaires I saw) answered yes for family, about half for religion and fatherland, and some 40% for justice. Astonishing, however, was the number of people who refused to include "friends" on this list. Many were those who checked off all the items *except* for "friends"! Along with "social idea," friendship was the value few of these Solidarity Christians were willing to die for.
13. One recent underground text, entitled "What Kind of Politics do the Poles Need?" (*Jakiej polityki Polacy potrzebują*, by Antoni Kwaśniewicz and Wacław Wyrwa; Zeszyty Edukacji Narodowej, KOS pub., Warsaw, 1984), makes these points again. "There are situations in history," writes Wyrwa, "in which the absolutely key factor is moral-political unity, the cohesion of all forces for the realization of one very concrete goal. But there are also the rather longer-lasting periods in which there is simply no unequivocal answer to the question of what should be done. And this is exactly the period we are living through today." In such a period, continues Wyrwa, "everybody is necessary: revolutionary fanatics, positivists and conciliators. Every group has its own particular role to play which no other group may replace." (p. 25) Wyrwa makes the point clearer in his summation: "Should there exist one command center of Polish politics, co-ordinating the activities of individual groups? There can be only one answer—absolutely not!" (p. 35).
14. In the "interview with itself", cited in footnote no. 1, *Tygodnik Mazowsze* notes the same recurrent expectations. People keep wanting to know what *TM*'s "line" or "program" is. *TM* does not have one, and knows it does not have one, but still does not feel it can come right out and say this. *TM* asks its own editors, "We're all longing for the Big Politics. Why isn't there any in *TM*?" and *TM* answers correctly, "Objections toward *TM* on this score are in essence only objections toward the TKK." This "interview" is a perfect illustration of the dilemmas of the "official," TKK underground, which would like to have a "program" (because society wants one) but, for reasons outlined above, cannot have one. Yet that they cannot tell the public.
15. *Tygodnik Mazowsze*, No. 94, July 1984.
16. *KOS*, No. 56 (4 June 1984). All quotes and page references are from this issue.
17. Stanislaw Barańczak, "My Ten Uncensorable Years," in *Index on Censorship*, December 1981; p. 40.
18. "Jacek" is a composite picture based on a few underground activists in different cities. The similarities were so striking, despite all the objective differences, that I felt a composite picture could most accurately convey some of the essential features of this new type of activist.
19. In late 1983 there was one episode that represented a departure from this general principle. Underground printers refused to print an issue of *KOS* because of an article by Dawid Warszawski condemning the US invasion of Grenada. Warszawski called the invasion a classic case of the Brezhnev Doctrine, and feared it might be a "kiss of death" for Poland. Certain underground authorities had to negotiate specially with the printers. The former appealed to the "democratic principle" of freedom of the press; the latter could appeal to the "democratic principle" of workers' control. The printers finally did go ahead with publication. Later, some readers returned their copies. The unusual episode reveals that some layers of intolerance that remain.

SOLIDARITY AND SELF-MANAGEMENT, MAY–JULY 1981

Henry Norr

Introduction

"The independent labor union," declared one of Solidarity's earliest programmatic statements, ". . . does not intend to make suggestions that might encroach upon the prerogatives of management, nor would it wish to substitute for the management or take responsibility for its actions."[1] Yet just a year later the 896 delegates to Solidarity's First National Congress approved, with only one "nay" and one abstention, a resolution that placed the demand for industrial self-management—*samorząd pracowniczy*—at the head of the union's political agenda.

From August 1980 until well into 1981, most Solidarity activists were indifferent, if not hostile, to the whole idea of self-management in the enterprises. They had committed themselves to a different form of representation for the workers and society as a whole—an independent union that would avoid entanglement in official institutions but force the authorities in the factories, the state, and the Party to consult and bargain with them. Calls to reinvigorate the self-management system, which had dated back to 1956, began to issue from Party sources even while the August 1980 strikes dragged on, but they were widely perceived on the strikers' side as a not very subtle scheme to divert the energy of worker-activists away from the task of organizing new unions and to impose on them responsibility for the economic mess left by the Gierek regime. If some Polish workers in 1956 and 1957 had looked to the then-new councils as a genuine vehicle for the defense of their interests, the steady degeneration of these bodies during the Gomulka and Gierek years had reduced them where they had not simply faded away, to the status of a powerless and Party-controlled adjunct to the administration. In the eyes of all but a handful of Solidarity's 1980 recruits, the councils offered little more than an opportunity to "water the flowers in the director's office," as *Tygodnik Solidarność* later put it.

But by the spring of 1981, as the economy continued to collapse and the authorities appeared ever more totally paralyzed, the mood began to change in at least some sections of the work force. In particular, the young engineers, technicians, and skilled workers educated in the 1960s and 70s grew increasingly frustrated at the manifest incompetence of their politically-appointed superiors. Many of them began to see in self-management the chance to bring a more rational approach to planning and production and at the same

A former teacher and factory worker, Henry Norr is currently a student in the Soviet Studies program at Harvard University and the Sociology Department at Brandeis.

time to achieve the influence and the promotions to which they thought their skills entitled them.

Under the leadership of Jerzy Milewski, a professor of electrical engineering and Solidarity adviser from Gdańsk (and now the Solidarity representative in Brussels), activists from the Lenin Shipyard and other prominent industrial enterprises joined in March 1981 to form an organization to work out plans for a new self-management system and to build support for the idea among union leaders and the rank and file. This grouping—cumbersomely entitled the "Network of Solidarity Workplace Organizations of Leading Workplaces," but universally known simply as "the Network" (*Sieć*)—operated within the framework of the union but had an always ambiguous relationship to the official Solidarity hierarchy.

The new group proceeded quickly to hammer out an imposing collection of position papers, draft laws, model enterprises codes, etc. Its central project was legislation on the "social enterprise," which it filed with the Sejm in June 1981, as an alternative to government proposals on state enterprises and on self-management. The Network draft would have freed virtually all enterprises of any direct state or Party control. While most of Solidarity's economic experts were advocating some combination of enterprise autonomy and central planning, the Network would have relied almost entirely on market mechanisms and legal contracts to coordinate relations among enterprises. Most controversial, as it turned out, was a clause that would have given each firm's workforce, through its elected self-management body, the power to appoint or remove the enterprise director. This was an extremely bold approach: the government's alternative, and even the draft program that Solidarity was circulating at the same time, provided only for vaguely-defined worker "participation" in such decisions.

By May–June 1981 the self-management idea, especially the Network's radical variant, was catching on not only among the engineers, but also among other union activists and rank-and-file workers. In part, it seems, people began to believe the Network's claims that its proposal offered a way out of the increasingly desperate economic crisis, although in fact the chaos prevailing in the Polish economy would have made the success of such a drastic and abrupt reform at best problematic, in the short run at least.

The most powerful appeal of the Network's plan, however, was political, not economic. Though the draft was couched in dry and legalistic language, its advocates did not hesitate to present it as a blow aimed against the *nomenklatura*, the system by which the Polish United Workers' Party controlled appointments to leadership positions in industry and almost all other social institutions. Once a taboo issue but now openly denounced in the Network's propaganda, the *nomenklatura* was the key to the Party's much-resented patronage system—and ultimately to its grip on Polish

society. The Network's proposal seemed to promise that the industrial economy would be emancipated from Party control in 1981, just as the unions had been in 1980. For a population eager now to get rid of the dominance of Party hacks, sensing (even exaggerating) its own unity and power, and yet aware that "geopolitical realities"—that is, the armies of the Warsaw Pact—made a frontal attack on state power a dubious proposition, the self-management scheme seemed to offer the "self-limiting revolution" a new way forward.

It was this strategic logic, rather than any sudden burst of enthusiasm for workplace democracy *per se*, that accounted for the new popularity of self-management; the workers were more interested in ensuring that their managers would be competent and honest than in making economic decisions themselves.

The text that follows, excerpted and abbreviated from a longer manuscript on the history of the self-management issue during 1980–81, covers the months when the Network was at its most dynamic. Later, as the final episode included here suggests, popular interest in self-management began again to wane. As the threat of hunger loomed larger, and the intransigence of the PUWP leadership after the Party congress became ever more obvious, the Network's strategy looked less and less persuasive. Some in the rank and file withdrew in despair. Others simply found themselves consumed by the struggle to survive. For many activists, the more openly political demands and organizations that were emerging in the second half of 1981 seemed more compelling. Most of Solidarity's leaders, however, remained committed to the self-management demand—hence the unanimity of the union congress when the issue came up in early September. But between sessions of the congress, Solidarity's negotiators, backed by Wałęsa and a 3–1 vote in an ill-attended meeting of the KKP Presidium, accepted a compromise bill worked out by a Sejm subcommittee. The legislation, enacted on September 25, 1981, fell far short of the Network's demands: in particular, a complicated system for making and appealing managerial appointments appeared to leave effective control with the authorities. The deal left the self-management movement divided and disoriented.

Though some enthusiasts tried to keep the cause alive by a referendum to change the law, the self-management issue faded into the background during the fall of 1981. In November Henryk Wujec told a Solidarity conference that back in July, "it seemed to us that self-management would begin to develop on its own, as had happened in the case of the union. It turned out that it's not so simple. The idea has, as it were, lost its dynamism."[2] Nearly every other speaker at the meeting—specialists on self-management from the union's regional organizations—concurred in this negative assessment.

Today, though the legislation adopted in 1981 remains on the books, new amendments and a new balance of power have imposed further limits on the powers of the self-management bodies. Some workers, it seems, have nevertheless tried to use these organs—especially those that were elected before December 13—as a vehicle for continuing the struggle in the workplace. In most cases, however, the councils, where they exist at all, are once again perceived as powerless ornaments serving to mask the reality of rule by the Party-state bureaucracy and now the military elite.

Solidarity's Choice

For a surprisingly long time, the national leaders of Solidarity showed little interest in the issue of self-management and little awareness of the change in attitudes toward it occurring with the union's ranks. Since August they had conceived of the new union's role as an autonomous representative of the workers and society at large in basically reactive terms: it would demand the right to be consulted in all areas of economic and social policy, but the initiative in managing the enterprises and reforming the economy would remain with the Party and state bureaucracies. Because the notion of making self-management a central focus of union activity was so alien to this model, and because the impetus for the new approach did not arise from among the main leaders or most influential advisers, Wałęsa and his associates seem at first not to have grasped the full significance of the Network's initiative or the scale of the campaign it was spearheading at the base. But the success of this mobilization and the Network's insistent demand for the backing of the leadership gradually forced the National Coordinating Commission (KKP) to come to grips with the issue.

The same political and economic frustrations that fueled the self-management movement in the factories had engendered what Staniszkis aptly called an "identity crisis" for the union leaders.[3] The Bydgoszcz incident in March had appeared to portend a climactic confrontation, but when Wałęsa almost unilaterally cancelled the planned general strike, the emotions aroused were left unfulfilled. The bitter internal recriminations that followed did nothing to provide a positive strategy. With much of the state apparatus still in the hands of forces who had now made plain their willingness to use force to stop Solidarity's peaceful progress, and with Soviet troops encamped on the borders, Wałęsa and his colleagues were groping for a new direction.

Concretely, the union's basic tactic, the strike, seemed less and less appropriate as shortages mounted. As regards both crisis policy and long-term reform, the union leadership continued to believe that its role was to respond to the initiatives of the authorities, but few such initiatives were forthcoming from a plainly paralyzed state; in the proposals that did emerge, the authorities showed

little openness to Solidarity's input. The legitimacy of Party rule had all but disappeared, yet there was no way to replace it. Solidarity seemed to be standing by passively while the fate of the nation hung in the balance; as Staniszkis observes, the union's power was enormous but useless, its day-to-day activities were making little contribution to its long-term goals, and "self-limiting revolution" had become a formula for frustration.

This was the context in which the self-management issue arose, and in which the national leadership of Solidarity, when it was finally forced to face the question, had to make its choice.

Pressure from the Network

When the Network met in April to establish its formal structure and identity, Lech Wałęsa was in attendance, and Milewski was to claim that the union chairman had offered "decided support" to the new group at that time.[4] But if Milewski's claim is true, the honeymoon did not last long. In fact, relations between the Solidarity hierarchy and the Network were vexed almost from the start.

One issue that might have provoked tension was resolved (or perhaps only finessed) early in the discussion of self-management: the question of how the union at the enterprise level would relate to the workers' councils once they were fully established and empowered. A strong consensus emerged that self-management bodies were to be altogether independent of the union. The former would represent the "interests of the enterprise," the latter of its workers. The expectation was that the union would negotiate yearly agreements with the self-management body on such issues as "the division of profits between wages and investments, the level of wages, efforts to improve working conditions, and social investments."[5] The members of the presidium of the union's factory commission would be barred from election to the workers' council, but the union (or any 10 percent of the workforce) could compel the presidium of the council to call a general meeting of all workers, which would have the power to make decisions binding on its self-management representatives.

In practice, one group elected by the workers would be sitting across the table from another group elected by the self-same constituency. It is difficult to imagine how bargaining between the two sides would work out under these conditions, as some critics observed. It certainly seems possible that demagoguery or shortsightedness on the part of even a minority of the work force could have led to serious internal divisions, as well as to economically destructive policies. But such questions must have seemed remote in the atmosphere of 1981, when other issues were so much more immediate and when the moral unity of all Poles was counted on to override any conflicts. At least in the available documents, possi-

ble future problems in the relationship between the union and functioning self-management bodies were rarely discussed.

Rather, the tensions between Solidarity's leaders and the Network arose explicitly over the question of the *Network's* role in the union, and implicitly over differences in political strategy. As a self-constituted organization cutting across regional lines, the Network had no clear place in Solidarity's territorially structured hierarchy. Milewski complained later that he never knew whether Wałęsa had come to the founding meeting as chairman of the KKP or of the Lenin Shipyard committee.[6] The Network repeatedly, and vainly, sought to have a representative of the KKP delegated to attend its meetings.[7] Regional leaders in particular were troubled about the status and activity of a group that seemed to undercut their authority.

In May, the Network applied for an official charter as an arm of the KKP with responsibility for issues of self-management and economic reform. What it got, by resolution of the KKP on May 28, was certification as "one of the consultative centers of the KKP." This modest recognition angered the delegates attending the Network meeting in Poznań on June 1–3. The majority noted (rightly) that the resolution offered no guarantee that the draft the group was developing would become the basis of the union's position in negotiations with the authorities. Another tension that was to recur regularly surfaced at the same time: the Network's plans to establish regional links around each of its factory centers were challenged as a duplication of the role of the existing territorial Interfactory Founding Committees (MKZ). Here a compromise formulation was reached, calling for cooperation with the existing bodies, but undoubtedly suspicions remained.[8] Two months later—after its issue had been adopted by the KKP and throughout the union—the Network still felt compelled to acknowledge that "many misunderstandings" about its activities had arisen and to repeat that it was not a union authority, but only made recommendations.[9]

Before the Network met again, on June 23, the Solidarity leadership had released two official statements on self-management. They reflected the growing interest in the issue within union ranks, and Jean-Yves Potel, the Western writer who has examined this topic most closely, says that they mark the union's "fundamental turning point" about self-management.[10] In his view, the KKP at this point adopted the substance of the Network's position and put the self-management demand at the center of its program. A close look at the documents, however—as well as at developments over the following weeks—suggests that the real turning point came only later, in July.

The precise dating is of no particular significance. What is of note is that while Potel's account implies a relatively smooth

convergence of perspectives, the evidence seems to indicate that the union leadership remained deeply wary of the Network's approach, and that it gave in only in the face of increasingly bitter protests from the Network and parts of the rank and file.

The event that precipitated the first statement from the leadership was the formal filing of the state's draft law on self-management, which occurred on June 8. The next day, the Presidium of the KKP approved a letter of protest, but the statement was remarkably vague and mild.[11] It discussed nothing of the content of the state draft, except to assert that it did not "assure the *participation* of the personnel in the management of the enterprise, as guaranteed by the Gdańsk Agreement," (emphasis added). The tone was far removed from the Network's calls for *full control* by the workforce. So was the leadership's objection that the question of self-management could be resolved only as an element in an overall plan for economic reform; for the Network, self-management was the *essence* of reform, to be enacted as soon as possible. Finally, the Presidium looked forward, without stating any preconditions, to "discussions with representatives of the government and experts of both sides" on the issue. Neither the sticky problem of managerial appointments nor the existence of the Network and its alternative draft was mentioned in the communique.

Ten days later, the Presidium issued yet another statement on the issue. This is the document Potel presents as marking the leadership's adoption, in substance, of the Network's position. But the minutes of the meeting hardly suggest that the union's leaders regarded it as a turning point.[12] The self-management question was not even on the formal agenda, and none of the union's principal figures seems to have taken part in what was evidently a very brief discussion leading to the statement. The impending laws on trade unions and on censorship, as well as the deteriorating supply situation, were the issues treated with urgency. (Actually, much of the meeting was apparently devoted to controversy over foreign travel by union representatives and the need to terminate an account that the union had opened at the Hotel Solec in Warsaw for KKP members sent to the capital for negotiations. The bills were reported to be "very significantly exceeding the allowable quota, chiefly for food.")

The resolution itself went only slightly further than the previous one.[13] It did declare the Presidium's "positive attitude toward the creation of authentic self-management" and acknowledge that provisional workers' councils could already play a role in pressing for economic reform. It also criticized the official proposals explicitly for denying the workers the right to appoint and dismiss enterprise directors. Two union leaders (Mieczysław Gil and Jacek Kłyś) were delegated to discuss the issue with the Sejm and the government. But once again there was no reference to the Network.

In fact, the Presidium mandated its own research group to draft a "developed position" for the union on the issue—regardless of the fact that the Network had filed its elaborately developed position with the Speaker of the Sejm only eight days before![14]

At the following meeting of the Network, held at the Wujek mine in Katowice on June 23–25, the group responded with a decision to undertake an open campaign of pressure on the KKP. "It is . . . evident," Milewski and associates proclaimed, "that the union cannot secure an improvement in the conditions of life and that only self-management . . . has a chance of doing so."[15] They were unequivocal, not to say imperious, about what they wanted from Solidarity: "The union must not surrender the initiative in self-management, but must carry it through consistently in accordance with the ideas developed by the Network." In an "Appeal to All MKZ and Regional Commissions,"[16] the group, in effect, tried to rouse the union's middle ranks against its national leaders, or at least against their approach on the self-management question, by asking each MKZ to bind its delegates to the next meeting of the KKP to vote in favor of union endorsement of the Network's draft law.

What effect this Appeal may have had cannot be determined. But it was only one of several pressures converging on the KKP over self-management at this stage. Not only was support for the Network burgeoning in the union and the factories, but a change in the Party's response and an emerging conflict at the Polish airlines were about to bring the issue, for the first time, to the very forefront of the political stage.

The Party Offensive

The stiffening of Party resistance to self-management was signalled by the appearance on June 23 of an article in *Trybuna Ludu* called "Do We Have Time for Everything?" On the surface, it was merely a response to Solidarity's charge that it had been excluded from the preparation of the official drafts of the proposed laws on enterprises and self-management; much of it was taken up with a list of minor Solidarity bodies which had submitted opinions on the laws through official channels. But Szymon Jakubowicz, one of the union's chief advisors on self-management and himself a former editor of the Central Committee newspaper, called it "the most indiscriminate attack on Solidarity" that he had read for a long time.[17] With the appearance of other articles of the same type over the following weeks, the relative restraint that had marked the press since the agreements on the Bydgoszcz case seemed to be disappearing.

The meaning of these attacks became clearer on July 10, when *Wiadomości Dnia*, the Solidarity daily in Warsaw, published, as a special supplement, a "Note on the Existence of the Net-

work . . ."[18] prepared on June 19 by the Social-Industrial Department of the PUWP Central Committee, together with an updated supplement evidently issued about a week later. The note, intended for distribution to regional first secretaries and various other Party functionaries, called for an immediate "politico-organizational and program-agitational counter-offensive" against the self-management movement within Solidarity. Disregarding the still-serious differences between the Network and the union leadership, the Party's analysts warned that, "A careful reading of the Network's documents leads to the conclusion that Solidarity is going to change its tactics . . . As much as Solidarity's activists and publicists until recently stressed that their goal was 'the defense of the workers' interests and that they are not interested in problems of management,' now demands for the management of enterprises by self-management organs selected under the guidance of Solidarity have become important in the life of the organization." Indeed, the note warned with emphasis, the fact that the union was undertaking such "gratuitous activity" might indicate that it was preparing another confrontation with authorities.

The writers admitted, interestingly, that the Network's ideas "might find advocates" among parts of the working class, "in view of the current socio-political and economic situation, as well as the low level of Marxist-Leninist knowledge among ordinary Party members and citizens." But they judged the Network's positions unacceptable to the Party "if it wants to retain a Marxist-Leninist character." For the guidance of cadres, a whole grab-bag of ideological labels was provided: the Network's scheme was linked to the Yugoslav and Czech revisionists ("Ota Sik and his ilk"), to the Soviet "Workers' Opposition" of the early 1920s to "contemporary bourgeois theories of reinvigorating [*uzdrawiania*] socialism," and finally to anarchy itself.

The supplement to the document marked a considerable further intensification of the Party's rhetoric and activity on the self-management issue. It cited a "violent escalation of aggressive activities carried out by the branches of Solidarity" on the question, referred to a "socio-political situation that is growing sharper in large and small workplaces," and called Solidarity's doctrines "illegal" as well as "socially harmful." At the Network meeting on June 23–25, the supplement reported, "the aggressiveness of the remarks of many union activists intensified to the point of surprising even certain Solidarity experts . . . The extremists in Solidarity do not conceal," the document continued, "that they aim to take over power first, in the immediate future, in the enterprises, and immediately after that in the whole country."

In the face of what they now considered the danger of a clash even before the Party congress (in mid-July), the authors of the supplement called for an accelerated propaganda offensive. A

"broadly conceived public polemic in the press, radio, and television" had already been worked out, they reported, and materials on the "anarcho-syndicalist deviation" would be distributed "urgently" throughout the Party. In conclusion, the document said that "substantive talks" would be held between Deputy Prime Minister Rakowski and Lech Wałęsa, "with the aim of forbidding [*sic*] the union organization to carry on harmful activity directed against the Party and socialist state."

From this time onward, the Party remained adamant on the self-management issue. At the Party congress, speakers from Kania and Jaruzelski on down endorsed the principles of self-management and decentralization as they understood them, but vehemently denounced the Network plan. After all, the PUWP, like other ruling parties in the Soviet camp, had become, among other things, an instrument of the new managerial class,—"a trade union for the authorities," in Michnik's memorable phrase—and the delegates no doubt understood very clearly what the *nomenklatura* meant for them. On this issue, the usual splits in the Party were not apparent: even the "liberal" Skrzypczak, the new head of the party in Poznań, called the Network line "demagogic, antiworker, and antisocialist."[19]

In the polarized atmosphere of 1981 Poland, the PUWP's stance probably only fueled the new mass movement for self-management. Such, at least, was the perception of the movement's spokesmen: "Whatever is attacked by the authorities rapidly gains adherents," cheerfully declared the Network in response to the propaganda assault.[20] But for the deeply alarmed apparatus of the Party, there was no choice but to take a firm stand, for they had good reason to see in the demand for industrial self-management "the first slice of the salami in a process that would inevitably extend to administrative and political functions," as a Western commentator later put it.[21]

LOT on Strike

The other early-summer development that brought the self-management issue to the center of political attention was the controversy at the Polish Airline, LOT. The leadership of Solidarity and the self-management movement in the shops had reservations about the LOT affair, and suspicions that it was a stage-managed provocation were widely voiced. Nevertheless, the enormous publicity the LOT conflict generated served to concentrate attention on the matter of managerial appointments and elicited an outpouring of support from Solidarity locals all over Poland. In the end, an uneasy compromise prevailed, but the whole episode contributed to the public sense that a confrontation remained in the offing.

The problem had surfaced at the end of April, when LOT's

managing director suddenly retired. The line's 189-member "Conference of Worker's Self-Management (KSR)—an unusually active vestige of the system set up in 1958 to ensure Party control over the workers' councils—immediately proposed to elect the new director, in an open competition and with the help of a panel of outstanding experts in aviation. When the Ministry of Transportation, to no one's surprise, turned down the idea, the KSR decided to go ahead with its competition, but agreed to invite the Ministry's candidates as well as its own. Numerous compromises were discussed (including the one finally agreed to by both sides) but in the early stages none was accepted. At the end of May, the competition was held despite official opposition. (The government's candidates did not show up.)[22]

Behind the appointment issue lay the problem of LOT's troubled finances. The airline had more than the usual reasons for seeking autonomy, for the policies imposed on it by the Ministry had brought it to the brink of bankruptcy. The sharpest irritant was the artificially low level of fares within the Soviet bloc. An even more serious problem was that LOT was required to cover the cost of all tickets for state officials traveling on foreign lines out of its hard currency earnings, but it received compensation from the state budget only in zlotys.[23]

Yet another sensitive issue was the subject of widespread rumors: it was alleged that LOT's losses stemmed from breakdowns and fuel-inefficiency in its antiquated Soviet-built fleet. Both sides publicly downplayed this charge at first. A spokesman for the strike committee in July characterized the report that the director elected by the workers had promised to discontinue purchasing Soviet planes as "utter nonsense." The actual leader in the initial balloting, however, had raised the issue unequivocally. "Those old Soviet hulks of yours are worthless," Stanisław Kutek informed the selection committee. "They burn three times too much fuel." This blunt-spoken candidate was an emigre who had lived in Britain for thirty-five years, served in the Royal Navy ("Don't talk about it too much," he told a convulsed KSR. "I was on the wrong side in Korea."), and made a fortune as head of a private aviation company. He offered an easy solution to the equipment problem: "I've got contacts in the American companies—they'll sell us some good Boeings at a reasonable price. And there's no problem about paying for them: I've got lots of friends in the Western banks."[24]

Charmed either by Kutek's candor or by his connections, the KSR jury voted overwhelmingly for him, but it was recognized that appointing him would be unduly provocative and Kutek quickly "withdrew." Instead, Bronisław Klimoszewski, a respected employee of LOT's commercial department and a member of both the PUWP and Solidarity, was selected by the workers. In the eventual settlement, he emerged as deputy to the government

designee, General Kowalski, but implied to Western reporters that he functioned, in effect, as director. By August he was openly seeking authority to buy American equipment, as well as to raise fares on the Moscow line and to let LOT keep its hard-currency earnings.[25]

The LOT Solidarity local had been drawn into the appointment controversy in June. On July 9, amidst considerable tension and international publicity, it led a successful four-hour warning strike. A full-scale walk-out, called for July 24, was averted when a compromise was finally reached through the mediation of Stefan Bratkowski.[26] Throughout the negotiations, the authorities were unwavering in their insistence on the Ministry's right to select the director. They justified their position by reference to both the old and the pending legislation on enterprises, and above all to what they called "the higher interests of the State." They even claimed that LOT had to be directed by someone enjoying the absolute confidence of the government and the army, in view of the line's potential "strategic significance" for the Warsaw Pact—an argument that the Polish public, contemptuous of the line's antiquated equipment, reportedly found laughable.[27]

Probably the real stake in the affair, from the authorities' point of view, was the precedent to be set. Had they yielded in the LOT case, it would have been hard to resist the same demand elsewhere. For the same reasons, dozens of workplace and regional Solidarity committees offered their support to the LOT workers, in some cases planning support actions and declaring "states of strike readiness." The Regional Committee from Chelm even informed the airline employees that their struggle was of such significance that even they had no right to change their position![28]

Solidarity's National Coordinating Commission also passed a resolution of full, if not exactly resounding, support for the LOT workers. To judge by the minutes,[29] there was no controversy over the resolution, but other sources refer to hesitations on Wałęsa's part.[30] It is not hard to imagine what grounds he might have had. One was the question of timing. By setting their warning strike just days before the Party congress, the LOT workers probably increased the likelihood that the leadership would remain unyielding; nor, one suspects, were the Solidarity leaders eager to get drawn into an offensive strike just as the new Central Committee was taking office and the union's own congress was in preparation. Besides, as Jacek Kuroń noted after the settlement, the groundwork for a strike had not been laid as carefully as it should have been.[31]

Besides these tactical problems, the nature of the LOT struggle made it a dubious choice as a test case. In the first place, it was being waged in the name of the KSR, even though union members in general, as well as the Network, were in favor of the dissolution of this discredited institution. Even more crucial, LOT, as a national

airline, was a unique type of enterprise, where the government could make a relatively strong case for the existence of a state interest. The underlying grounds for hesitation about the LOT conflict, however, was that the national leadership of Solidarity had not yet resolved its doubts about the whole issue of self-management. Far from accepting uncritically the new direction represented by the Network, Wałęsa and his comrades had, in fact, maintained considerable organizational and political distance between themselves and the new movement. It was only in the face of pressure from the Network, and after a prolonged period of hesitation and re-evaluation, that Solidarity made its choice.

Towards a Turning Point

In July the pressures on the Solidarity leadership were coming to a head. The June statements of the Presidium of the KKP had put the leadership on record in favor of a renewal of self-management and in opposition to the official draft law, but the Network's nagging continued, and the Party's propaganda offensive and the prominence of the LOT conflict sharply raised the stakes. Plainly, the leaders could not simply continue to issue statements; they had to make a fuller commitment, or risk being dragged and buffeted by forces they did not really control.

For Wałęsa personally, the most dramatic moment must have come on July 8, at the All-Polish Informational Meeting of Workers' Self-Management Representatives. On this occasion, the Network demonstrated its growing political muscle by bringing together more than 1,000 delegates from newly formed workers' councils and provisional "self-management founding committees" in plants large and small all over Poland. By meeting right at the Lenin Shipyard in Gdańsk, the Network brought its demands to the doorstep of the Solidarity leadership; for the first time since April, Wałęsa himself showed up for a Network function.

The meeting began with the usual speeches.[32] Milewski started by affirming the Network's desire to be of service for the union and all of society, then expatiated on the concept of the "social enterprise." A delegate from Wrocław reviewed the Network's proposal in detail. Edward Nowak, an electrical engineer from Nowa Huta who seems to have been one of the Network's most dynamic leaders, delivered a more political speech entitled, "Give Us Back Our Factories." He argued that state ownership of the means of production in practice meant ownership by the apparatus, secured through the workings of the *nomenklatura*. He denounced this system as the source of the crisis, but doubted that the authorities would give it up voluntarily. The only way out, he insisted, was through the genuine socialization of the means of production, even if a general strike was required to carry it through.

Other speakers followed in the same vein. Several experts took the floor, with Jakubowicz calling self-management "the further

continuation of the union revolution." R. Krawczyk, the chairman of the Social Committee on Economic Reform established in May by the Polish Society of Economists, declared that there were only two alternatives: self-management or "war communism."

In the midst of this shower of dramatic rhetoric, Lech Wałęsa came to the microphone. To judge at least by the summary minutes of the meeting, his vaunted ability to catch the mood of a crowd completely failed him on this occasion. The tenor of his remarks was far less radical than that of the preceding speeches. What he proposed was simply that the union press factory administrators to present alternative development plans for the enterprise: the workforce would select one of the options and then pledge to use all its resources to make fulfillment possible. He added not a word about enterprise autonomy or workers' power to appoint the director.

When the floor was opened, delegates from Zielona Góra, Wrocław and Elbląg roundly denounced Wałęsa's contribution; one of them charged it was a "cosmetic cure, not a systematic reform." The KKP was "universally" criticized, according to the minutes, for its "inertia, its failure to react to the Network draft, and its equivocal attitude toward the self-management groups." Then the assembly approved a final declaration reiterating the familiar arguments, supporting the LOT workers, calling on Solidarity committees at the workplace and regional levels to assist the development of self-management, proclaiming the Network (*not* the KKP and its appointed negotiators) the representative of their views before the government and the Sejm, and repeating the demand that the KKP at its next session endorse self-management and declare its "full support" for the Network legislation.[33]

By this time Wałęsa had experienced plenty of criticism from below, some of it much more vituperative than what was expressed that day in Gdańsk. Yet it must have come as something of a shock to him to find such a broad-based and increasingly dynamic movement of local union activists so dramatically at odds with his strategic perspective. After all, these 1,000 delegates were not ambitious political rivals seeking his position; they were sent directly from the very base of the union, its workplace committees. Even though this assembly did not attract every current in the union, the delegates were in general the same sort of people who would be setting the union's direction and electing its new officers at the forthcoming national congress. Together with the resolutions pouring in at this period from the regions and factories (some of which heeded the Network's June Appeal and bound their union representatives to back the group's initiatives), the Gdańsk experience must have made it clear to Wałęsa that the once-marginal issue of self-management could become the grounds for a serious challenge to his leadership.

Whatever his private calculations, Wałęsa, two days later, took an unusual step: he issued a formal statement in his own name, as chairman of the KKP, on the subject of self-management.[34] This declaration did not in any way meet the Network's demands: again, there was no mention of the Network as such, and he was as vague as ever about the form of self-management to be established (except that it should be "authentic" and have "full rights"). But Wałęsa's statement broke new ground in acknowledging, if only in general terms, widespread criticism of the union leadership and the success of the self-management initiative: "In a difficult period in the operation of our Union," the text began, "when continued conflicts and provocations have limited us to interventionary activity and protracted negotiations, charges have resounded ever more often and loudly that Solidarity is shirking acceptance of even part of the . . . responsibility for stopping our economy's slide into the abyss of crisis. This has mobilized a significant part of the union's activists, in the direction of an active response . . . [and] the immediate undertaking of activities in the cause of radical reform of the economy."

Then Wałęsa proceeded to his most explicit endorsement of the self-management movement yet: "Therefore we recognize the initiatives of union activists aimed at organizing workers' self-management groups as undertakings in accord with the needs of society, a most proper way to restore the health of our economy . . . [and] genuine, nor formal, national unity." Behind the windy rhetoric, the statement amounts to a partial surrender to the political strength of the Network: Wałęsa was admitting that self-management had taken hold among unionists who saw no solution in the union's program. In the name of society and Solidarity, he was giving the grass-roots movement his blessing.

The extent of his personal conversion should not be exaggerated. A few days later, after his overwhelming election as a congress delegate for the Gdańsk region, he responded to a question about self-management by explicitly distancing himself from the Network's draft, calling again for "solutions involving options" [*wariantowe rozwiązania*] and demanding worker "influence" (not absolute authority) in the selection of directors.[35] Besides, his statements made no commitments about concrete union involvement in the issue. Nevertheless, if a single turning point in the evolution of the union leadership's attitude toward self-management has to be identified, it is this July 10 statement. The stage was set for the upcoming plenary meeting of the KKP.

The KKP Meeting

When the full National Coordinating Commission of Solidarity assembled on July 24 in Gdańsk, the main item on the agenda was entitled "Evaluation of the Situation in the Country and in the

Union." That turned out to mean a discussion about Solidarity and self-management—so much had circumstances made that issue the fulcrum of debate within the organization.

The discussion was an extraordinary one for the KKP. When it was almost over, Wałęsa, who had largely abstained from participation, expressed his satisfaction: "For the first time, I feel that . . . the National Commission is a National Commission." He had decided—"in a democratic manner," he joked—that a transcript of the proceedings would be published in the union press. "Let the workplaces see," he declared defensively, "that this commission exists and talks about important things."

As a result of Wałęsa's "democratic" decision, *Tygodnik Solidarność* several weeks later published the transcript as a special supplement[36]—treatment otherwise reserved only for the organization's draft and final programs. This record constitutes an unusually rich picture of the way the top leaders and advisers of the union thought about self-management and the future of the union eleven months after it was born. What it reveals is a leadership convinced, though not without reservations, of the necessity of adopting the cause of self-management; aware that such a decision would mark a fundamental turning point in the union's self-conception and relationship to the authorities; yet ultimately incapable, as a body, of the rigorous political thinking and planning such a decision merited. The leaders had finally come to believe that in self-management they had found a new focus for the union's activity, but their inability at this momentous meeting to translate their new commitment into concrete strategy and tactics foreshadowed the subsequent fate of the issue.

The meeting took place at a moment of rapidly rising tension. In the aftermath of the just-completed Party congress, there was no evidence that the Party was about to launch any dynamic program of reform. Threatened walkouts at LOT and among the Baltic dockers had just been averted, but only barely. Meanwhile, the economic crisis was closing in on Polish families: July 23 had brought announcements of plans for 200–300 percent price increases and a 20 percent cut in meat rations for August and September. The first major hunger march had just taken place in Kutno, and similar street demonstrations had been threatened in Łódź, Częstochowa, and elsewhere.

Whatever else may have been missing from the KKP discussion, there was no lack of awareness of the gravity of the situation. The economic experts had evidently convinced the skeptical union chiefs that in the short run there really were no significant food reserves, and that the economy was bound to get worse before it got better. An image that runs throughout the transcript describes Solidarity as a union of the sailors on a sinking ship. The sense of catastrophe was compounded by a feeling that the union's credibility with the

mainstream of the working class was in jeopardy, and that hunger could at any moment spark the kind of uncontrolled outbreak Solidarity had always sought to avoid. In Modzelewski's marvellously mixed metaphor, "It's come to a situation in which the same people who lauded us to the heavens might throw rocks at us, precisely because we have been sitting with folded hands, while the ship is sinking and the hold is already flooded."

In this situation, the KKP members seemed to take for granted that the union had to consider bold new approaches, and the only real candidate was to deepen the union's commitment to self-management. Speaker after speaker observed that the proposal implied a break with Solidarity's previous theory and practice. Władysław Frasyniuk, the up-and-coming union chief in Wrocław, put it best: "Should the union be, as before, a body monitoring and expressing opinions on what the state does? . . . Or should the union take a new road? I'm for the new road. We need to come out with our own initiatives . . . And the program of the Network is just such an initiative, for the first time." The only other possibility mentioned was a campaign against the price increases and cuts in the supply of food and consumer goods, but this proposal got little support. It entailed grave risks of igniting an explosion of popular anger, and there was little reason to believe that improvements could be won. Besides, as Kuroń had pointed out at the start, on a sinking ship, the size of the crew's rations was not the most important issue.

Although the adoption of the self-management program seems to have been a foregone conclusion, the idea was not without its critics. Several speakers worried that the Network's plans would lead to unacceptable levels of unemployment in the short run; others argued that the proposals reflected the interests of the workforce in large enterprises, but not the very different situation of small plants. A few speakers challenged the record and what were called the "obsessions" of the Network itself. The delegate from Łódź claimed that, in his area at least, self-management had actually advanced further in plants independent of the Network than within that organization's flagship enterprises. One speaker grilled Milewski about his scheme to establish a new political party, the Polish Labor Party. But the Network had defenders as well. Frasyniuk, supporting the group's old demand that it be recognized officially as an arm of the union leadership, expressed appreciation of Milewski and associates: "We're pickled in problems, like cabbage in a barrel. There's no one to solve it—then suddenly here's the initiative from the people for we've all been waiting."

The only comprehensive and sustained political critique of the self-management strategy came from Jan Rulewski, the "extremist" from Bydgoszcz. "I get the impression that I'm in 1917 and we're taking power," he began. The lengthy speech that followed

was less a logically developed argument against the proposed new course than a string of accusations. Some were plainly inflammatory, others quite insightful. Part of his case was simply that the time was not ripe for self-management—cadres were in short supply, and anyway the shape of the new economic system had yet to be determined. The choice of the director, he said, was a tenth-rate problem. More important were the mechanisms built into the economic model, and on that problem the union had not yet clarified its assumptions. (The unresolved debate on economic reform at the Solidarity congress was to show the validity of this part of his argument.) In general, he argued, Solidarity needed to define its strategic objectives before it could sensibly adopt a program like self-management. Besides, Rulewski found the whole concept unappealing: "In my opinion it's taken a little from western democracy, a little from eastern ideology, and everyone knows that mixtures are always the worst because they are explosive. Workers' protests," he went on, "are not usually based on any pseudo-social, or pink, or red ideas." It was *Trybuna Ludu*, he charged, that had introduced the self-management idea into the union.

Underlying Rulewski's objections was a highly negative view of his own constituents. The councils of 1956 fell apart, he maintained, "as a result of the natural traits of working people." The worker is lazy and ignorant and interested above all in consumption: he "is a person fated to work, and he recovers his honor in the marketplace, where his work is properly evaluated in the form of the value of the goods produced by him. . . . This simple worker—whose consciousness, I emphasize, extends only as far as the concept, 'Is Wałęsa for this or not?'—now he'll be left to analyze this whole complicated situation." The authorities would bribe the workers in the big plants with meat and cigarettes, so they would no longer care about their fellow Poles. Rulewski was particularly alarmed at the prospects of self-management in industries where female workers were predominant. In the garment industry, for instance, he felt that the women workers would never elect a "dynamic" director; instead, they would opt for some handsome character who would kiss their hands.

The immediate beneficiaries of self-management, then, would not be the union or its members, but the experts ("because the economy is a matter for experts, unfortunately"). In the long run, the real winner would be the Party: self-management "is an attempt to move the union to the margins of social life, and to push forward a new group—the self-managing group—that will soon be at odds with both the union and management, and over this whole scene it's the Party, as mediator and arbitrator, that will really be the boss."

Rulewski's opposition was important, for he was the primary spokesman for the growing "fundamentalist" (traditionalist,

nationalist, above all anti-communist) current among the rank and file. But he got little overt support from the rest of the KKP. On the issue of self-management, the KKP's problem was not so much its internal divisions as its inability to clarify what it was that the majority was now ready to support. Wałęsa himself said nothing in the discussion. Others, like Frasyniuk and the advisor Jakubowicz, had accepted the Network's logic and seemed to want the union leadership to vote full support at last for its draft legislation and its strategy. Modzelewski, without endorsing the Network *per se*, echoed its arguments that self-management was both a short-term economic solution and a blow against the *nomenklatura* system. Gwiazda, on the other hand, agreed with Rulewski that the problem of powers of appointment was trivial (he thought that access to credit would be a more important "freedom" for the enterprises), and compared to other speakers he seemed to have in mind a much sharper separation between the union as such and the struggle for self-management.

While such conceptions of self-management differed in emphasis, they were broadly compatible with what the Network and its followers had been saying. That is much less true, however, of the arguments put forward by two of the union's most influential advisers, Geremek and Kuroń. For Geremek, self-management was important not as a solution in itself, but as the basis of a movement that could serve as a lever to force other reforms out of the authorities. On one point, he declared, he agreed with Rulewski: the important of the state. Not everything could be done by the method of *faits accomplis* at the base, he said; legal and institutional changes in the central apparatus were also required. In fact, self-management *alone* might bring anarchy and thus turn the populace against the union. "But," he argued, "we treat the issue of employee self-management as . . . an instrument of pressure on the state, so that a complete reform will be carried out, so that state institutions might be changed." Implicitly, Geremek was suggesting that the details of factory management could be used as bargaining chips in what he hoped would be a larger compromise.

Jacek Kuroń's endorsement of self-management also grew out of his thoughts on the problem of the state, but his perspective was very different from Geremek's. For Kuroń, the old system of power had "ceased to exist": the bureaucratic forms remained in place, yet were unable to fulfill their functions. (The government's latest plan for escaping the crisis had some merits, he observed, but the authorities could do no more with it than peddle it as a pamphlet in the kiosks.) Yet he continued to believe that the "revolution" had to remain "self-limiting"; referring explicitly to the danger of a Soviet invasion, he criticized the notion of demanding free elections.

In the face of these constraints, Kuroń suggested militant support

for the industrial self-management demand. He went so far as to declare that "There is a point in the struggle over the form of self-management at which the union will not shrink from any conflict . . . We have not only the right, but the obligation, to resort to all possible means" of carrying on the fight. But Kuroń put this advice in a much broader framework than any of the other speakers—this was the meeting at which he brought forward the idea of union sponsorship of a "new organization for governing" based on self-management groups not only in the factories, but in social institutions of every description.

In short, the KKP discussions included several different justifications for endorsing self-management, with divergent implications about the union's medium- and long-term objectives. Perhaps these varying conceptions could have been reconciled, if the differences had been clearly articulated and put on the table for resolution. But they were not; the debate reads as if the speakers were talking past one another, or as if each were addressing his own past doubts about self-management rather than thinking concretely about implementing the new approach.

Hence the KKP made neither a choice nor a synthesis among the perspectives presented to it. And none of the speakers attempted, or was even asked, to translate his thinking into specific strategic and tactical proposals for central, regional, or factory-level union bodies. There was no systematic discussion of what the self-management movement had already accomplished and what problems it had encountered; who supported it, who did not, and why; where and how the union could exercise leverage on the authorities about the issue; what the other side's real position was, behind the bluster; what divisions might exist among the authorities and how they could be exploited; whether and where compromise might be possible, and if not, what would follow. The existence of the other players in the game was virtually ignored; perhaps because Solidarity's leaders had become so convinced of the powerlessness of the authorities, they evidently paid little heed to the Party's repeated and unequivocal insistence that self-management in the Network's sense could never be accepted.

If the most difficult political questions were neglected, so too were the economic ones. It was repeated over and over that self-management was a strategy for escaping the crisis, but none of the speakers explained just how his version of the new strategy would deal with the collapse of the market, racing inflation, or the hard-currency debt. Nor did any of them give serious attention to the dangers of increased unemployment and wage inequality resulting from the implementation of a self-management system.

For all its sense of the seriousness of the situation, then, the Solidarity leadership seems to have made a decision it had never thought through very deeply. It could, of course, be argued that such analyses were a staff function and must have gone on outside

the KKP, but it is hard to imagine that they would not have been reflected in the discussion or in documents emerging from the meeting. Bujak, Gwiazda, and other speakers emphasized that the KKP discussion itself, and the resolution and propaganda materials to follow, would be of great importance in orienting the thinking of union activists taking up the union's new direction. Unfortunately, however, there was scarcely any discussion of just what this guidance should consist of.

The resolution adopted two days later reflects the limits of the discussion. It was certainly a far stronger endorsement of self-management than the Presidium's previous statements. It lent the KKP's "full support for the social movement in the cause of employees' self-management" and called on all branches of the union to give support and assistance in the creation of workers' councils. The Network was finally mentioned by name (though not capitalized), and one of the demands from its June appeal was adopted (that the union would not agree to price increases unless economic reform based on self-management was enacted). The official draft laws on self-management and enterprise reform were again attacked, specifically in reference to the principle of managerial appointments, and the Network's draft legislation was mentioned as "an expression of the social movement."

But neither the demands nor the strategy and tactics the union would adopt in support of self-management were further specified in the resolution. The Network bill was not explicitly endorsed, and Milewski's request that the union make his group's plan the basis for its negotiations with the authorities was voted down. In fact, although the union negotiating team was strengthened by the addition of Frasyniuk, Jakubowicz, and Palka (a Łódź union leader who later became the chief Solidarity delegate on economic problems), no official Network representatives were added to it at this time. (Several, however, were later co-opted.) The negotiators got no specific mandate from the KKP about their objectives or discretion in the talks.

The July Decision in Perspective

Though the Network's victory was thus not complete, its members had good reason for satisfaction when they assembled for their regular meeting a few days after the KKP session. As they wrote in a communique dated July 30, "The draft law on the social enterprise worked out by the Network has elicited a broad response from society. The members of the union have universally supported the draft, and . . . the KKP has voted full and comprehensive support for the organization of authentic self-management."[37] The Network went on to claim that their draft had become the basis for the union's negotiations—formally an exaggeration, but basically true in substance.

Indeed, by the end of July, support for self-management seemed

all but universal in the ranks of Solidarity. Some 2,000 enterprises, including virtually all of the largest, had endorsed the Network's proposal.[38] It was widely presented to the rank and file as an economic and political panacea—a way of bringing the shortages to an end and, by undermining the *nomenlatura*, sapping what was left of the Party's authority. For the young technicians and professionals, it remained a means to bring rationality, and thus self-respect, into their work; for some, no doubt, it also fueled hopes of personal upward mobility that had been frustrated in the blocked society of the 1970s. Among the intellectuals associated with the union, the self-management movement had come to seem a vehicle by which their various plans for Poland's future could be realized: for the economic reformers, the movement seemed to provide the political muscle that could force the state to act; for moderates like Geremek, it might be the lever that would push the authorities into an overall political settlement; for visionaries like Kuroń, self-management could serve as the model of and foundation for a new social system.

As for the union's elected leaders, the shift had been most difficult for them, because they were mostly deeply attached to the old model of defensive trade unionism. But they were well aware of the difficulties that seemed to have infected their organization since Bydgoszcz. With the economy deteriorating daily, and the authorities still seemingly immobilized, the Solidarity leaders knew that they needed somehow to take the initiative or else risk the loss of their credibility and their hopes (as well as of the leadership positions for which they would soon face re-election). "It is a fact," Wałęsa had admitted to a workers' meeting on the eve of the climactic KKP session, "that for the world of work, for the work crews, we have done very little, almost nothing."[39] (The manifest untruth of this confession is beside the point; what matters, for present purposes, is that this was the message the union leaders were beginning to get from their constituents.) The self-management advocates, and lately the leadership's own advisers, were promising that self-management could "deliver," both economically and politically, and the success of the Network indicated that a growing and dynamic sector of the working class felt the same way. In the end, despite all the months of suspicion and vacillation, there seemed to be no choice but to commit Solidarity to the cause of self-management.

Self-Management at the Forefront

In principle, the KKP's July 26 resolution elevated self-management to the top of Solidarity's list of strategic priorities. Within days, the union's reinforced negotiating team was fencing with a Sejm subcommittee under Adam Łopatka. Although the union representatives were careful to declare that the Network draft

was not the official position of Solidarity, they did present the text (which the Sejm representatives pretended not to have), label it "society's draft," and declare that it was "nothing wicked." In practice, the union negotiators thereafter upheld the essence of the Network position. The discussion rehashed the usual issues, but the transcript suggests a relatively relaxed atmosphere. At the conclusion W. Baka, the government's "Plenipotentiary for Economic Reform," went so far as to characterize the Network proposal as "very interesting."[40]

Thus Solidarity's new career as advocate of self-management began with some promise. Almost immediately, however, other issues began to crowd in upon the union leadership, as working people began to take to the streets in protest over the food situation and relations with the government approached complete breakdown. Given the vagueness of the leadership's plans about self-management, and the urgency of the other issues confronting it, Solidarity never generated the offensive around self-management that the KKP seemed to promise when it adopted the issue. For two months it was nominally in the forefront of the union's concerns, but even before the compromise that produced new legislation in September, there were indications that the momentum had gone out of the self-management movement.

For Solidarity's regional and factory-level cadres, the new direction proclaimed by the leadership came at a moment of increasing desperation. The idea of a "hunger march" was spreading quickly across the country, and the Sejm's July 31st vote in favor of the government's latest program for overcoming the crisis did nothing to slow the trend. In Łódź, a spectacular three-day series of marches was staged with the backing of the union's regional committee, which was desperately maneuvering to ward off the even more alarming prospect of a hunger *strike*. On August 3, a Solidarity motorcade of protest turned into a stand-off in the heart of Warsaw, and the KKP was forced to call an emergency session to monitor the tense situation. In many localities the discontent of the masses seemed to be mounting literally by the hour.

Most of Solidarity's leaders were deeply worried by the prospect of large-scale street demonstrations, which hot-heads or provocateurs could at any time maneuver toward violence. In this context, the KKP's call for mobilization around self-management—even without clear tactical guidance—seemed a blessing for many of the activists at the base, for it provided a safer channel into which they could try to steer the anger of their constituents. A dramatic description of the mood of early August, and of the role of the self-management issue in it, comes from an account published in *Tygodnik Solidarność* by Jan Waszkiewicz, a member of the presidium of the Solidarity regional commission in Wroclaw.[41]

This commission had voiced strong opposition to self-manage-

ment back in February, and its presidium had reversed its position only in mid-July. On July 23, the full regional commission voted to make the passage of the Network proposal the union's "main task for the immediate future." A few days later, the area's delegation to the KKP returned to tell an open meeting of factory representatives that the national leadership had similarly endorsed what was described as a "fundamental, downright dramatic shift in the strategy of the union"; the time had come, the delegates declared, for the union committees in every workplace to support the creation of self-management committees.

The next day, the Wrocław office was deluged with phone calls from union locals—but they were not about self-management. What the rank and file wanted to know was what Solidarity would do about the newly-announced ration cuts. The regional leaders had to dash off to an enterprise that was on the verge of a walk-out. At a hastily called union rally there, Waszkiewicz (the author of the article) spoke first. He talked about the desperate supply situation, then tried to move on to self-management. A soft but seering voice interrupted from the crowd: "But Mister—I'm hungry." Looking out over the exhausted and angry faces, the speaker realized that he had lost the crowd. "I had to retreat," he wrote. "The people had not come to chat about that subject [self-management]." He returned to the food problem, telling the crowd that union observers had checked and there really was no food to be distributed. When he tried again to make the case that only self-management could restore the economy, another angry voice from the crowd shouted out, "Then let's get rid of these old incompetents right now."

Another union official took the floor and tried a different tack. Stressing the role of the *nomenklatura*, he talked about how deeply the authorities disliked the self-management plan and why. Only then, Waszkiewicz reports, did he begin to see flashes of comprehension in the faces of the crowd: "Perhaps part of the gathering has seen the opportunity self-management gives us," he told himself. Though some in the crowd continued to fear that the union was being duped, others started to pose questions about the state of the economy, as the discussion unfolded, and tensions began to ease. By the time the rally was over, the regional leaders felt confident that the self-management strategy really would work.

But the next day, July 29, the same union officials found their constituents again bursting with rage, and they finally decided that they had no choice but to call a rally over the ration cuts. It was set first for August 3, but then, as pressure mounted, moved up to July 31. The presidium decided, however, to continue trying to channel the anger engendered by the shortages into support for self-management. The leaflets and declarations calling for the rally stressed that "self-management is our chance." The leaders decided

to use a local plant, Fadroma, where the authorities were refusing to install a director chosen by the workers, as the focus of their propaganda.

The same approach shaped the union's plans for the rally itself, and it seemed to succeed. The atmosphere at the event was heated, Waszkiewicz observed, and the mood of the 8,000 in attendance militant. But the regional union's top orators—Frasyniuk and Modzelewski—put their emphasis on self-management as the only alternative to a system that now threatened its people with starvation. As the rally was ending, the gathering endorsed two resolutions. The first, concerning ration cuts, threatened the use of the "strongest means" in defense of "our biological existence and that of our families"; the second declared that, "Without a transformation of this system by way of self-management-based reform, there will be no exit from the crisis." As exemplified by the conflict at Fadroma, the battle for self-management was called "our common cause, the cause of freeing the country from the threat of hunger."

In the following days, the union leaders had all of Wrocław plastered with posters headed "Self-Management—Your Fate is in Your Hands." But Waszkiewicz reluctantly concluded that the self-management strategy never had a chance, no matter how hard the regional leadership tried to promote it. Tensions were mounting rapidly over the shortages, the Warsaw motorcade, and the breakdown of talks between union and government. The local leaders' best efforts to turn the KKP's decision into a concrete and catchy program, the author lamented, were "drowned out by the shriek of sirens and the lies of official propaganda."

On August 4, the workers' candidate was finally confirmed as director of Fadroma. Union activists in Wrocław congratulated themselves on a victory of national significance, one that they felt recovered the ground lost in the LOT compromise. But by then no one else seemed to notice. As *Tygodnik Solidarność*'s correspondent noted ruefully, "In the turmoil that had arisen, who had a mind for matters like that?"

---

1. *Aktualny Program Działania NZSS* (Gdańsk, 5 Sept. 1980), as translated in *Radio Free Europe Research*, Polish Situation Report 19 (29 Oct. 1980), p. 25.
2. *Tygodnik Solidarność*, 4 Dec. 1981.
3. Jadwiga Staniszkis, *Poland's Self-Limiting Revolution* (Princeton, 1984), pp. 21–22.
4. *Agencja Prasowa Solidarnocs (AS)* 27: 304.
5. "Związek w przedsiębiorstwie społecznym," a document of the Network published in *Tygodnik Solidarność (TS)*, No. 14 (3 July 1981).
6. Milewski in "O sytuacji w kraju i Związku," the transcript of the Solidarity National Coordinating Commission's discussions at its session on 24–26 July 1981, published in *TS*, No. 19 (7 Aug. 1981).
7. *Ibid.* and *AS* 19: 201.
8. *AS* 19: 204–205.
9. "Komunikat nr. 8 Sieci," in *AS* 27: 304.

10. Jean-Yves Potel, "La revendication autogestionnaire dans la Pologne de Solidarité," *Sociologie du Travail*, No. 3 (1982), p. 263.
11. *AS* 19: 301.
12. *AS* 21: 101.
13. *TS*, No. 13 (26 June 1981).
14. *AS* 20: 206.
15. "Związek w przedsiębiorstwie społecznym," *loc. cit.*
16. *TS*, No. 14 (3 July 1981).
17. Jakubowicz, "Spór o samorząd," *TS*, No. 15 (10 July 1981).
18. Reprinted in *AS* 24: 508–510 and translated in *Uncensored Poland*, No. 11 (4 Aug. 1981), pp. 12–15.
19. Quoted in Anna Sabbat, "Poland's Ninth Party Congress, Part IV: The Plenary Discussions," *Radio Free Europe Research*, Background Report 239 (24 Aug. 1981), p. 22. Skrzypczak's comments provoked an angry reaction from his former colleagues at the Cegielski works, which had become an active member of the Network. (See *AS* 29: 203.)
20. "The Movement for Self-Management," a Network pamphlet translated in Stan Persky and Henry Flam (eds.), *The Solidarity Sourcebook* (Vancouver, 1982), p. 179.
21. Martin Malia, "Poland: the Winter War," *New York Review of Books*, 18 March 1982, p. 24.
22. "Lataj LOT-em!!!" *TS*, No. 16 (17 July 1981).
23. Michał Jaranowski, "Z nieba kapie mniej," *Polityka*, 30 May 1981.
24. Quoted in Laurent Joffrin, "La reforme selon Solidarité," *Pologne: 500 Jours de Liberté qui Ebranlèrent le Communisme* (Paris, 1982), pp. 141–142.
25. *Ibid.*
26. Details of the settlement are given in *AS* 26: 204–205, 307, 404–405.
27. Joffrin, *loc. cit.*
28. *AS* 26: 206.
29. *AS* 25: 101, 301.
30. *Radio Free Europe Research*, Polish Situation Report No. 13 (17 July 1981), p. 12.
31. Kuroń in "O sytuacji w kraju i Związku," *loc. cit.*
32. *AS* 24: 207–208.
33. *TS*, No. 16 (17 July 1981).
34. *AS* 24: 301.
35. *AS* 25: 201.
36. "O sytuacji w kraju i Związku," *loc. cit.* All subsequent quotations from this debate are drawn from this source. The KKP discussion is considered in detail in Timothy Garton Ash, *The Polish Revolution* (London, 1983).
37. "Komunikat nr. 8 Sieci," *loc. cit.*, p. 302.
38. *AS* 27: 004.
39. Quoted in Foreign Broadcast Information Service, *Daily Report: Eastern Europe*, 24 July 1981.
40. *AS* 27: 003–005.
41. *TS*, No. 21 (21 Aug. 1981).

CZECHOSLOVAK OPPOSITION PART II

Jan Kavan

In Part I of this article, published in *Poland Watch* No. 5, I described the development of Czechoslovak opposition from the Prague Spring of 1968 until the emergence of Charter 77 in January 1977. In this concluding part, I attempt to follow the major trends of the opposition to date, but inevitably concentrate on Charter 77 to the slight detriment of the multifaceted field outside the human rights movement. The world of Czechoslovak opposition is extremely fluid and complex. For reasons of space it has not been possible to cover everything. I strongly believe, however, that the ideas and trends I describe here are the most dynamic and fundamental and are most likely to influence the shape of the future society. Despite the numerous ups and downs, the changes in tactics and forms imposed by repression, the essence of these trends, and frequently even the people who carry them, have remained the same since the early sixties: to make society more democratic, free and just, by ensuring that the greatest number of people are not only able to express their views without fear of persecution but to participate in all decision making which affects the quality of their life. The facts in this article have been carefully verified but their interpretation is my own.

The Heterogeneous Nature of Charter 77

Charter 77 has received expressions of support from many different quarters ranging from the US State Department to the French Communist Party. The breadth of this support reflects the fact that the document does not formulate an ideological or political program. This, of course, does not mean that the various groups and individuals within the Charter movement—which embraces all the different shades of reformist communists, socialists, Trotskyists, liberals, democrats and Christians—have not attempted to pursue their own particular programs or convictions. However, they have agreed to do so outside the framework of the Charter, where, in the words of one Charter spokesman, Milos Rejchrt, "a thousand flowers are encouraged to bloom."(1)

The hundred or so former communists, who at the launching of the Charter represented almost half the signatories, soon became a small minority. The Eurocommunists among them were in fact a minority within a minority. Of the leading Prague Spring

---

Jan Kavan was a student leader in Prague during the 1960s, emigrating to England in 1969. He has written widely on Czechoslovakia for the European press and in 1976 founded Palach Press, a press and literary agency specializing in the distribution of news, documents, and articles from Czechoslovakia. He is co-editor, with Zdena Tomin, of *Voices from Prague: Documents on Czechoslovakia and the Peace Movement.*

"Dubcekites," only a small group had the courage to support the Charter.[2] Nevertheless, the Charter's Eurocommunists attracted considerable attention, particularly abroad, and wielded more influence than their numerical strength would warrant. This was primarily because their number included former statesmen, such as ex-Foreign Minister Jiri Hajek, because of the group's reputation as the most articulate nucleus of opposition in the years 1970–1976, and because of its rich experience and personal knowledge of the system and its leaders. Their influence, however, waned as more young people joined the Charter, as the prospect of "constructive dialogue" with the authorities receded, and as their disunity increased. In April 1978, a group of ex-communists, many of them former government ministers, issued a programmatic document entitled "Ten Years Since the Prague Spring,"[3] in which they argued the need for far-reaching reforms. But even this group was viewed with some suspicion, particularly by young people.

The most radical of the ex-communists, such as Dr. Frantisek Kriegel, Dr. Jaroslav Sabata, or Ladislav Lis, differed from the majority of their former colleagues in their skepticism regarding the ability of the existing Communist Party ever to reform itself and the tactics used by the reformists. It is no coincidence that these radicals had all condemned the capitulation in August 1968 and the subsequent "normalization." Dr. Sabata, one of the Charter 77 spokesmen in 1978, was mainly responsible for the adoption of Charter 77 Document No. 18,[4] until then the most radical of all the Charter documents, which demanded the withdrawal of Soviet troops from Czechoslovakia. This led some people to criticize Sabata for trying to lead the human rights movement toward a more political organization. Sabata firmly believes in the principle of "democratic self-management" and has endorsed Solidarity's demand for a "self-governing republic."[5] He seems to perceive within the Party certain currents which, if pressured from outside, might be prepared to participate in a dialogue about possible solutions. Sabata has always tried to remain close to the Eurocommunist parties, but in some respects he is closer to the "Independent Socialist" group.

This group, led by Rudolf Battek, Jiri Muller, and Jan Tesar, claim to stand for "democracy, socialism, equality, solidarity, self-management, and self-determination of the people." They have pledged themselves, in particular, to the task of restoring "simple ethical principles to politics." Many of their formulations betray their experience of struggle with the Communist Party. They express a certain skepticism about the need for a "rigid political organization" and endorse the idea of "direct political activity, of citizens free from the omnipotent apparatus of political parties." They have declared their most important international objective to be the establishment of contacts with the Socialist International "as the

most significant political entity of democratic socialism" and with socialists in other East European countries.[6]

The socialists' criticism of the Eurocommunists and their radical stand on Charter 77 affairs brought them closer in some aspects to Petr Uhl, who describes himself as a revolutionary Marxist. While he maintained the convictions for which he was imprisoned in the early seventies, Uhl was able to subordinate them to the broader interests of the Charter. His work for Charter 77, carried out with unparalleled determination and courage, earned him a great deal of respect from many people who did not endorse his ideology.

The influence of Christians on the Charter is the exact reverse of that of the Eurocommunists. As the Charter continued to resist pressures to become more "political," a large number of religiously oriented people joined it and became very active. The emphasis on human rights and ethical beliefs helped to forge close cooperation between Catholics and Protestants. Both groups, especially the latter, received little or no help from the Church hierarchy which sought to reach an accommodation with the state. The much firmer line adopted recently by Archbishop Cardinal Tomasek has not yet had any noticeable impact on the situation. Following the election of the Polish Cardinal Wojtyła as Pope, the activities of the Catholics increased, with a resulting increase in repression. The clampdown on the Franciscan order in March 1983, when about 250 Franciscans were interrogated and some of them detained, was the largest since the fifties. However, it also provoked strong protests; a petition protesting against the action was signed by 3,397 people, and by the end of July all the detainees had been released. Sources close to the "underground church" claim that religious samizdat now has a much wider circulation than ever obtained by Charter 77 materials, especially in Slovakia and Moravia.

Many young followers of the underground rock groups, who today form the backbone of the widespread "cultural underground," display marked religious tendencies, although they are not affiliated to any organized church, and the religious views expressed in their music can partly be explained as a reaction to the narrow-minded, heavy-handed atheistic propaganda of the regime. The major leaders of the non-comformist, slightly anarchic cultural underground, such as Ivan Jirous, are closely associated with Charter 77, but many of their supporters come from regions where the Charter is weak, and these people greatly outnumber the Charter signatories.

The Debate on Strategy and Tactics

It would be astonishing if, despite the remarkable unity of purpose, there were not different views on strategy and tactics within a

movement as heterogeneous as Charter 77. A debate on these issues took place already in the summer of 1977, provoked at least in part by the government's intransigence. An additional factor was the loss, almost at the outset of the movement, of two of the Charter's three spokesman. (Vaclav Havel was arrested on charges of helping a former politician smuggle his memoirs to the West and was released in May, following an unwritten deal that he would resign as Charter spokesman. Havel, it seems, soon regretted his brief moment of weakness, which may explain why he has become one of the most radical and courageous signatories. Sixty-nine year old Professor Jan Patocka died in March 1977, following an eleven-hour interrogation by the Secret Police.) The fact that for many months the Charter was represented only by Jiri Hajek who, as a former communist, was viewed with suspicion by some Chartists, intensified the debate on how the movement should proceed.

Some people, albeit a minority, felt that the Charter had fulfilled its functions and should disband with dignity. Others wished to maintain its aims and methods unchanged and warned that a more political approach and greater organization would lead to greater repression and to divisions among the Chartists. In this, they were responding to the suggestions of such people as Sabata and Uhl, who favored a political movement with some organizational structure and its own information bulletin and who wanted to see the emergence of informal groupings dealing with specific issues. In addition, they wanted to appoint representatives of informal groups and tendencies to help the spokesmen and ensure more democratic decision making. They also emphasized the need to cooperate actively with human rights activists abroad, particularly in Eastern Europe.

A compromise was eventually reached and expressed in a statement issued on September 21, 1977.[7] This announced the appointment of two further spokesmen to join Jiri Hajek: Dr. Ladislav Hejdanek, a Protestant philosopher, and Marta Kubisova, a former pop singer. More important, "informal working groups" could and would be formed within the Charter movement, based on different professional interests, geographical locations, and—implicitly—on different political sympathies. These groups would issue their own documents, the contents of which would be the responsibility of the signatories alone. As long as the groups' activities did not contradict the general aims specified in the Charter's founding declaration, they could count on the support of the movement as a whole. The statement admitted that the Charter had not always been successful in its original aims and that it planned to concentrate more on individual cases of injustice. This led to the emergence of VONS (Committee for the Defense of the Unjustly Prosecuted) whose formation was officially announced in April 1978.

In January 1978 a bulletin entitled *Informace o Charte* (Information about Charter 77) was launched. Its status was not clarified until April 1979, when the editors issued a statement explaining

that Petr Uhl and a group of Charter signitories were responsible for the publication. Their aim was to help both the Charter spokesmen and VONS and to serve as an instrument of democratic control over them by providing information about their activities. The Charter spokesmen welcomed "this independent initiative," and the bulletin is still the best source of information on various aspects of Charter 77 activities.

Several of the radical proposals raised in the summer of 1977 were thus gradually implemented, even if in a less controversial form. Although the proposal for a tighter structure and a more political role was rejected, the crystalization of different opinions within the movement clearly received official approval from the Charter. At the same time, of course, it was made clear to those who had taken no part in the discussions that there were marked differences of opinion within the movement. Nevertheless, the Chartists clearly regarded their movement as strong enough to withstand a public airing of differences, and even considered this to be something healthy.

The continuing debate about strategy was given a new impetus in 1978 by Jan Tesar who advocated methods closer to those of the Polish human rights movement—for example, a much higher degree of organization, and the establishment of working groups to deal with specific issues. Others were concerned that Charter activities were being conducted mainly through the spokesmen, leaving the majority of signatories uninvolved, while still others were concerned that the gap between the Charter and the public was increasing the danger of the activists being contained in a "ghetto."

This debate resulted in a compromise, expressed in *Charter Document No. 21*, issued in October 1978. The spokesmen undertook to give precedence to "critical discussion and to subject all conclusions to the widest possible critical examination, . . . to publish and distribute all points of view. . . ." At the same time, they made clear that Charter documents were not to express the standpoint of a particular political tendency.[8]

The discussions continued, focussing largely on what kind of balance the Charter should maintain between the legal, moral, and political aspects of its activities and on how to reconcile different interest groups and ensure that their voices were heard by the spokesmen.

The radicals, who advocated a greater level of internal democracy, greater involvement of all the signatories, a higher mix of politics in Charter activities, and a more uncompromising attitude toward the authorities were slowly gaining ground. Fear of a more radical approach led two Chartists—writer Ludvik Vaculik and lawyer Petr Pithart—to write independently, but more or less simultaneously, in December 1978 essays in which they expressed the view that "the active, courageous minority" devoted to radical political activity would provoke more repressive measures on the

part of the authorities and alienate still further "the majority of sober-minded people" who are "frightened by heroic deeds."[9]

Vaclav Havel and a number of others responded. Havel agreed that the inconspicuous humiliation of hundreds of nameless citizens was worse than the imprisonment of a well-known dissident, but he argued that such a dissident goes to prison precisely because he has told the truth about this humiliation. If people were to follow Vaculik's arguments and "calculate like a thief weighs the pros and cons of robbing a supermarket, then there would no longer be a single manifestation of solidarity with unjustly prosecuted people in our country, not a single truthful novel or free song."[10] The tone of the debate was sharp, probably reflecting the years of strain, tension, and frustrated expectations. Nevertheless, as in the case of previous discussions, the inner cohesiveness and solidarity of the Charter remained intact.

Cooperation with the Polish Opposition

Ever since KOR welcomed the founding of the Charter in 1977, there have been ad hoc contacts between the two civil rights groups. In the summer of 1978, representatives of Charter 77 and KOR met twice on the Czechoslovak-Polish border to discuss ways in which they might cooperate. A third meeting, which was to have taken place on October 1, was foiled by police on both sides of the border, and Charter 77 spokesman Jaroslav Sabata was arrested.

Sabata's detention and subsequent imprisonment led to the decision to abandon such semi-open meetings but it did not mark the end of cooperation. At the second meeting in September, a joint letter to "the defenders of human and civil rights" throughout Eastern Europe and the Soviet Union was issued, stating that "the common fate of our nations binds us today more strongly than ever before. It is therefore important that those who attempt to improve our common destiny should join forces."[11] In a joint communique, the two groups stated that they had agreed to set up working groups which would oversee the exchange of information necessary for effective cooperation. They had also discussed the possibility of preparing joint documents and organizing a discussion on "independent civic initiatives in Eastern Europe."[12] Such a discussion did indeed get underway, in the form of several informal meetings, as well as some written exchanges between Prague and Warsaw. Later, views on the subject were also sought from Budapest. It was orginally hoped to publish a collection of essays resulting from the discussion, but the arrest of ten members of VONS in May 1979 and rapidly unfolding events in Poland forced changes in the original plan. It was therefore decided to publish the Czech and Slovak contributions, in the hope that the Poles would be able to publish their own contributions later as an inseparable part of a collective work, the title of which would be *On Freedom and Power*.[13]

The collection of essays, *On Freedom and Power*, centers around Vaclav Havel's "The Power of the Powerless." The main theme is the role of political power and of what Vaclav Benda calls "the parallel polis" and Petr Uhl "the alternative society"—in other words, all those groups which function outside the Party-state structure. In addition to Charter 77, VONS, and various working groups, there is the broad field of the "second," independent culture—an unofficial university, samizdat publishing houses, samizdat essays and journals, "The Living Room Theatre" and other private performances, concerts, and exhibitions.

The fact that the existence of such alternative structures endangers the very basis of the totalitarian regime is understood by authors who analyze the nature of the regime as differently as do, for example, Havel and Uhl. Both conclude that, for the sake of its survival, the regime has to attempt to suppress every independent action, every form of "life in truth."[14] Many supporters of the alternative society agree with Havel that there are only two possibilities: either the system will begin to resemble a horrific Orwellian picture of absolute manipulation, or the alternative communities will gradually become an increasingly important social phenomenon, reflecting social tensions and effectively influencing the general situation.

It is important to note that a large number of individuals and groups within Charter 77 whose ideological beliefs would, under western conditions, suggest a likely conflict, arrive at similar conclusions concerning the question of power and freedom and the role of Charter 77. Their collaboration arises from the specific conditions created by a totalitarian system in which "a more important question than whether one party or several parties are in power is simply whether one can or cannot live a decent life." (Havel) No step toward a more decent life, then, is ever to be underestimated.

This approach is fairly typical of thinking within Charter 77 and was especially prevalent between the summer of 1978 and May 1979, a period during which the human rights movement reached the peak of its activity. At that time, various forms of alternative structures blossomed: Charter 77 had produced twenty-five documents on a broad range of issues; twenty-three issues of *Informace o Charte* had appeared; VONS had documented 114 cases of unjust prosecution, and there were working groups on independent trade unions, ecology, cooperation with the Polish democratic opposition, and other issues.[15]

Independent Activity Provokes a Clampdown

Over two years of sackings and "political" unemployment, harassment, surveillance, house searches, short-term detentions, and the arrest of over seventy people, some of whom received

quite severe prison sentences,[16] did not deter people from supporting Charter 77. The authorities therefore decided to strike at the most active core of the movement, the VONS, using the pretext that VONS (unlike Charter 77) is an organization and thus illegal.

On May 29, 1979, ten members of VONS, including two Charter spokesmen, Jiri Dienstbier and Vaclav Benda, were arrested and charged with subversion of the Republic. Two weeks earlier, a district court decided that the nine-month sentence given to Jaroslav Sabata for allegedly hitting a policeman after his arrest at the abortive Charter-KOR meeting in 1978, meant that Sabata should serve the remaining eighteen months of a previous six-and-a-half-year sentence. Another VONS member, Albert Cerny, was also arrested in Brno on the same charges as his colleagues shortly before they were detained. The message was loud and clear: the government was determined to silence the movement and the price for defiance would be high.

Within days of the arrests, however, twelve new members had joined VONS, ranks were closed in the face of this blow, and all groups joined in the solidarity campaign. The arrested VONS members represented virtually the entire spectrum of political views, from revolutionary Marxists (Petr Uhl), through Eurocommunists (Jiri Dienstbier), independent socialists (Albert Cerny), democrats (Vaclav Havel), to Catholics of a radical (Dana Nemcova) and more conservative kind (Vaclav Benda).

Four of the eleven were released in December 1979, although the charges against them were not dropped. Albert Cerny was sentenced in November to three-and-a-half years' imprisonment. The others were tried in the now famous VONS trial in October 1979, when Petr Uhl was sentenced to five years, Vaclav Havel to four-and-a-half, Benda to four, and journalists Otka Bednarova and Dienstbier to three years' imprisonment. The fact that the court ignored the prosecution's demands for sentences twice as long is ascribed by observers to the strength of international protest against the trial that Charter 77 was able to generate.

The trial evoked some of the largest protest gatherings and petitions, as well as expressions of solidarity from hundreds of non-signatories. VONS became a member of the International Federation for Human Rights and adopted a subtitle, the Czechoslovak League for Human Rights.

The VONS trial also elicited expressions of support from human rights activists in Poland. In October, fifteen Poles in Warsaw and eleven Czechs in Prague went on hunger strike demanding the release of the detained VONS members and of several Catholic activists arrested in Slovakia and two Poles arrested in Warsaw and Grudziądz. The day before the trial opened, Charter 77, VONS, and KOR issued a joint statement denouncing the trial as unlawful and declaring that they would "continue in our endeavors to defend human dignity and all people prosecuted in our countries."[17] The

fact that the defendants included Havel probably increased the resolve of the Poles. Havel's essay, "The Power of the Powerless," had a marked impact in Poland, where Warsaw Solidarity leader Zbigniew Bujak later declared that he and his colleagues had tried to translate into practice Havel's theory and analysis.[18] Interestingly, Havel had earlier acknowledged that the Polish events of 1976 and the subsequent formation of KOR had great significance for him.[19]

Charter 77 managed to survive what was intended to be a fatal blow. However, it was badly bruised and although it staged a remarkable recovery, especially in 1982, it has not yet achieved the scale of activity or the level of active involvement on the part of signatories that was achieved in 1979. At the beginning of 1980 an effort was made to deal with this last problem by setting up a larger Group of Charter Spokesmen to ensure the more democratic representation of the different trends within a Charter. A long statement which announced the formation of the group on February 1, 1980, analyzed the experience of three years of the movement and concluded that "the authorities, which . . . ruthlessly repress even the most modest efforts at independent human and civic existence, make our efforts to conduct an effective dialogue with the state institutions illusory." The statement emphasized that "Charter 77 has activated a number of young people who are not burdened by the past and by ideologies. For them, Charter 77 should provide in our closed society some space for a life which has meaning and is not manipulated." Older and wiser by three years, the Charter spokesmen argued that the movement's aims had become more realistic: "We are more clearly aware that even a small space won for independent and free activity is a space for genuine life inspite of all . . . the disruptive effects of a non-democratic political system."[20]

The formation of the Group of Spokesmen indicated that the more radical elements who had been arguing for such a group since 1977 were slowly gaining ground. The repression, however, increased. It hit not only political and religious groups outside the Charter but also some groups of the "parallel society," such as Dr. Julius Tomin's unofficial philosophy seminars and "Living Room Theatre" performances. On June 14, 1980, Charter spokesman and VONS member Rudolf Battek was arrested on charges of having assaulted a policeman—a carbon copy of the 1978 Sabata case. When Battek came to trial the original charges were largely ignored and he was accused of having corresponded with Willy Brandt, Bruno Kreisky, and the Socialist International, with having been active in VONS and Charter 77, and with having contributed an essay to *On Freedom and Power*.

Battek was sentenced to seven-and-a-half years, reduced on appeal to five-and-a-half years' imprisonment to be followed by three years of highly restrictive "protective surveillance."

The Response to Solidarity

Not long after Battek's arrest, the attention of both the authorities and the opposition turned to Poland, where the first independent trade union movement in Eastern Europe emerged. The authorities were soon gripped with fear that the example of Solidarity would prove attractive to their own citizens. The realization that KOR and other independent groups had been able to assist the birth of a free trade union made some politicians quite unreasonable. The fear that Charter 77 might become a Czechoslovak KOR overshadowed the fact that, despite chronic shortages, the Czechoslovak economy was still able to provide a relatively comfortable living for the workers, who had too much to lose by revolting on the streets.

The regime unleashed a vicious media attack on Solidarity and began to exploit old folk myths about the Czechs being hard-working and the Poles anarchistic and lazy. The authorities also instigated a rumor that food shortages in Czechoslovakia were caused by the compulsory supply of food to Poland, where productivity had fallen as a result of the strikes. Some sections of society were influenced. For others, like the Chartists, events in Poland constituted a source of optimism and encouraging evidence that seemingly monolithic regimes could be changed by pressures from below. In December 1980, Charter 77 spokesman risked imprisonment by issuing a public warning against the use of Czechoslovak troops in any invasion of Poland.[21] The Chartists also countered official propaganda by distributing translations of Polish samizdat materials and Solidarity statements. For a time, a new periodical, *Poland and Us*, appeared, containing both documents from Poland and articles by individual Chartists.

The government's quite irrational fear of a spill-over of the "Polish disease" stepped up repression to an unprecedented level. In 1981 the opposition lost more people through forced emigration or long-term imprisonment than at any other time before or after. More people were put under surveillance, house searches became regular occurences, activists were interrogated every week. There were more uniformed police on the streets, popular bars were frequently raided, hundreds and even thousands were needlessly harassed. The passing of a new law which even banned the waving of Czechoslovak flags (!) at sports stadiums during matches, especially with Soviet teams, reflected well the atmosphere in the country.

More ominously, the authorities began to resort quite brazenly to threats of violence and even to violence itself. Dissidents were beaten up not only during interrogations but much more violently by "unknown thugs" in the middle of the night, in their own apartments or in parks. Others were threatened with fatal accidents. This violence was all the more ominous because it was anonymous and could not easily be laid at the door of those in power. It was

more effective and began to take its toll. An increasing number of Chartists who would have been prepared to go to jail agreed, under this kind of pressure, to emigrate.[22]

A small number of groups have emerged as the direct result of events in Poland, most notable among them being the "Preparatory Committee of Free Trade Unions in Czechoslovakia" which was founded in June 1981 to "defend the rights and interests of working people."[23] The members of the Committee, unlike the Charter signatories, have remained anonymous. They have made it clear that, for the present, they wish to work within the official trade unions in the attempt to change them into a "more genuine movement of the working people which would defend both their everyday and their wider interests." Only "when these measures fail" would they launch a "parallel independent trade union movement," based, presumably, on the model of Solidarity.[24]

Within hours of the announcement of martial law in Poland, the current Charter spokesmen, including Jaroslav Sabata, who had rejoined the group after his release from prison in December, were rounded up and detained for several days in a clear attempt to prevent the Charter from expressing its views on the event. The attempt failed. On January 7, new spokesmen were elected and the same day they issued a statement condemning "any solution to social conflict by military or political force."[25]

Other smaller and clandestine groups responded even faster. Only two days after the declaration of martial law, a group calling itself "Skupina Revolucni Akce" (Revolutionary Action Group) circulated a leaflet in several factories and schools calling on "workers, students, and citizens of Czechoslovakia to raise their voices in defense of the Polish workers.[26] This led to the arrest, two months later, of four young people who were charged with subversion of the Republic and "undermining the alliance with Poland." They were tried and convicted in December 1982. The highest sentence of four years was given to a 27-year-old worker, Jan Wunsch. His close friend and colleague, Jiri Wolf, also a worker, was arrested in May 1983 and sentenced the following December to six years' imprisonment to be served in the harshest penal category and to be followed by three years of "protective surveillance."

The declaration of martial law led to a change in the mood of the people. Those who had feared a brutal, Soviet-led invasion and a subsequent crack-down throughout Eastern Europe calmed down; those who had been the victims of the government's propaganda felt ashamed and angry. The disappointment and frustrated expectations of the activists did not lead to resignation but more to the realization that all the East European movements would face a very long and difficult struggle, that they would have to learn from each other's experiences and that, if possible, they should try to coordinate their attempt to achieve a change in the status quo.[27]

The Polish war against its own people clearly reassured the

Czechoslovak rulers. Combined with the need to project a more liberal image to the West in general, and to Austria in particular, it made 1982 one of the least repressive years in the recent history of Czechoslovak opposition. For example, seven people arrested in May 1981 and charged (together with seven others) with "subversion of the Republic on a large scale and in cooperation with a foreign power" (one of the most serious crimes in the Penal Code), were released in March and May 1982 without standing trial, although the charges against them were not dropped.

The greater leniency of the regime in 1982 did not mean, however, that there were no political trials. It meant that the authorities shifted the emphasis away from trials of people known in the West to fewer trials of relatively unknown people, mainly workers, and that they tried to obscure such trials through the increased use of criminal charges. The trial of cultural underground leader Ivan Jirous, who was sentenced, on charges of possessing drugs, to his fourth term of imprisonment in the summer of 1982 is a good example.

During 1982 Charter 77 attracted some new supporters, mainly young people and workers, and the total number of signatories reached 1,138. It issued documents on a variety of subjects such as the misuse of the law, discrimination at work for political reasons, problems of education and scientific research, and the deteriorating economic situation. It also ventured into the political minefield of expressing support for Solidarity, demanding the withdrawal of Soviet troops from Czechoslovakia, and stressing the need for a dialogue with the western peace movement.

One of the staunchest advocates of a dialogue with the peace movement was Ladislav Lis, one of the 1982 Charter spokesmen. In January 1983 Lis was arrested on charges of "incitement" for having distributed "hostile documents" and made "hostile speeches." In July 1983 he was sentenced to fourteen months' imprisonment to be followed by three years' "protective surveillance." Despite severe restrictions on his movements and the daily harassment of his whole family by the police, Lis resumed his Charter activities after his release in March 1984. In June he was rearrested and given a prison sentence of three months for "violating the protective surveillance order."

Charter 77 and the Peace Movement

The authorities have displayed great sensitivity toward the exchanges between Charter 77 and certain organizations of the western peace movement ever since these contacts started in late 1981.

Following persistent inquiries from various peace organizations about its attitude to the peace movement, Charter 77 issued a "Statement on the West European Peace Movement" in November

1981. The statement stressed the indivisibility of peace and human rights and argued that "the connection is mutual and works both ways. One can hardly believe in the sincerity of peace efforts where people are persecuted for demanding . . . human rights and basic freedoms. On the other hand, one cannot regard as defenders of these rights and freedoms those who are stepping up the arms race . . . and threatening the continent with becoming a nuclear battlefield. . . ."[28] In March 1982 the Charter spokesmen reiterated the movement's "positive attitude toward the peace movement." They went on to recall that in 1938 Czechoslovakia itself had been sacrificed, ostensibly to safeguard peace, and warned that peace cannot be "the naive demand of those who wish to protect life at all costs, regardless of the human responsibility to the values which surpass life itself."[29] Less than a month later, Charter 77 identified itself with the specific aims of the East German peace movement, stressed that peace and human rights should be defended everywhere by ordinary people and unofficial groups, and called for a dialogue with such groups in the West.[30]

The Dutch IKV (Interchurch Peace Council) was the first to respond and to express its keen interest in cooperating with Charter 77. In their reply to the Council, the Charter spokesmen further elaborated on their views. They endorsed the idea of a Europe of peace and justice, asked the peace movements, in addition to their struggle against nuclear weapons, to support actively those who had been imprisoned for their support of human rights, and expressed the hope that their contact would lead to lasting cooperation."[31]

Consistent with their interpretation of peace, not as a ceasefire but as the absence of tension and sources of conflict, Charter 77 demanded, in August 1982, the withdrawal of Soviet troops from Czechoslovakia. The Charter spokesmen argued that not only was there no longer any legal basis for their presence, which "changed the balance of forces between the two blocs," but that their departure would make Soviet peace proposals more credible and "would be welcomed by the peace movements."[32]

The Chartists went on to assert that "the right to live in peace is a fundamental human right." This was a far cry from the more narrow interpretation of human rights which dominated the first years of the movement, and it illustrated the growing impact of the more radical Chartists such as Jaroslav Sabata. Although it has become obvious during the last two years that not all the signatories share Sabata's views on the peace movement and that a profound political differentiation is taking place within the Charter movement, the sentiment of this document was not questioned. Nor did the tone of Charter documents on the peace movement change after the arrest of Lis and the appointment of new spokesmen at the beginning of 1983.

On May 30, 1983, Charter 77 applied to attend the Prague World

Peace Assembly to be held in June. In their application, the Charter spokesmen reminded the Assembly's secretariat that Charter 77 had always struggled for the aims and values which constitute the basic components of peace and detente. Characteristically, they used the occasion to condemn "any attempt by governments anywhere in the world to solve political problems or disputes by either military force or the threat of such force."[33]

Following the expected refusal of admission and despite threats from the STB, Charter 77 sent the Peace Assembly a detailed description of its position on the peace issue. To underline the consensus of opinion the covering letter was signed not only by the current spokesman but by all the former spokesmen, except for those who were in prison or in exile. The letter received significantly less publicity in the West than had previous major Charter documents. Perhaps, as former spokeswoman Zdena Tomin pointedly asked, "the recent voice of Charter 77 does not quite fit into the 'dissident' image?"[34] Clearly not courting popularity with any establishment, Charter 77 asserted that:

> True peace will not be reached without true trust, and true trust will not exist as long as the particular interests of various establishments play a bigger role in politics than the true well-being of all people. But this basic responsibility for mankind . . . will probably not win its place in the consideration of governments and especially the superpowers until millions of ordinary people force them to accept it. . . . We recognize the peace movement as one of the attempts to bring about an essential change in the orientation of humanity today. Therefore we are open to dialogue and cooperation with the peace movement, we welcome it and feel bound to it with the same basic desire for a better world.[35]

Understandably, Charter 77 underlined that "there are today many regions of the world" which can hardly be called peaceful because "they do not enjoy peace as between the citizen and the state. . . . Any government which lives in a permanent state of tension with its society is in a state of permanent mobilization" and cannot be "a reliable partner in efforts to secure real peace in the world. . . ."

Included in the lengthy dossier, *Charter 77 on Peace*, that the Chartists sent the Assembly was Sabata's challenging open letter to British peace campaigner Professor E. P. Thompson. Sabata appealed for the rejection of the undemocratic legacy of the post-war social and political settlement and the obsolete non-choice it offers between the status quo or the risk of mutual annihilation. Sabata clearly believes in a "third way" and he called on the unofficial peace and human rights groups in the East and West to

"convert into a common denominator the struggle against the modernization of NATO and the struggle against the violation of human rights" in Eastern Europe and to formulate "a joint long-term political strategy for the democratic transformation of Europe" and the eventual unification of the divided continent. Sabata envisages the establishment of "a democratic socialist bloc which would provide a focal point for all the political forces of society ready for dialogue." Sabata argued that an "incomplete trialogue" is already a reality because, although the Prague government will continue to "reject a dialogue with Charter 77, it will not refuse to take part in a dialogue with certain sections of the peace movement which are themselves engaged in a dialogue with the Charter, or could be." With a certain political will, Sabata believes, it could be transformed into a complete trialogue and become "an element in a full-blooded, all-European dialogue."[36]

True to form, Sabata remains one step ahead, even if a small step, ahead of the Charter. Nevertheless, it is clear that his ideas have struck a sympathetic chord with many leading Chartists. Many of them met representatives of the western peace movement during the Peace Assembly in Prague and, despite police surveillance and threats, signed a joint statement proclaiming, as well as the Charter maxim of the indivisibility of peace and human rights, that the best guarantee of peace is a free dialogue between all social forces within states.

The Chartists have no time for those naive and manipulated western activists who argue that "linking the peace movement to the human rights issue distorts the real situation in the Soviet Union,"[37] who blame the arms race on only one of the superpowers and who have to believe, for their own purposes, that "Charter 77 does not support the peace movement."[38] While many Chartists have expressed concern about the possible misuse and misinterpretation of Charter statements on the peace movement, such warnings have been expressed within the basic framework of support for the movement's general aims. As Havel said in April 1983, shortly after his release from prison: "I consider those young, long-haired people who keep demonstrating for peace in various western cities and whom I saw almost daily while I was in jail, where we were forced to watch the TV news, to be my brothers and sisters; they aren't indifferent to the fate of the world and they voluntarily take upon themselves a responsibility outside the sphere of their own personal well-being, and that—though in more difficult circumstances—is exactly what we are doing."[39] Havel then summed up what, in effect, is the common denominator of the majority of Charter signatories: "I am neither a communist nor an anticommunist. If I criticize my government, then I do so not because it is communist but because it is bad. Likewise, I would criticize a Social Democratic, Christian Democratic or any other government

if it were to govern badly. I don't take sides with an Establishment; I am simply on the side of the truth against the lie, sense against nonsense, justice against injustice."[40]

The supporters of the peace dialogue received an unexpected boost of public support in October 1983 when the Czechoslovak government suddenly announced that it had agreed to deploy Soviet nuclear missiles on its territory. Despite being threatened with prosecution on charges of "undermining the defense capability of the state," Charter 77 condemned this deployment in letters to western peace movements and to the Czechoslovak President, Dr. Gustav Husak. The Chartists were able to remind the government of its often repeated statement that nuclear weapons do not "increase the security of the countries on whose territory they are deployed, but, on the contrary, expose them to the danger of nuclear attack or counterstrike which would mean the destruction of the whole territory and all life on it,"[41] an argument previously used, of course, against only US missiles.

The government's previous anti-American propaganda had made people aware of the dangers of nuclear weapons, so it is not surprising that many became apprehensive. On November 5, 1983, *Rude Pravo* admitted that the editors had received many letters expressing "unease and searching confusion." The number of peace slogans chalked up in public significantly increased, protest posters appeared in universities, with hundreds of students responding to an appeal to draw little suns on the posters if they opposed the deployment. (The sun has rapidly become a symbol of opposition to Soviet nuclear missiles.) Protest petitions began to circulate among young Catholics, factory apprentices, and school students in Brno. These quickly spread to Prague and other cities. By the end of January 1984, one such petition, protesting not only against deployment in Czechoslovakia but also against "nuclear weapons anywhere in the world," had been signed by over 1,000 people of all ages and social groups.[42] The authorities put pressure on many signatories to retract by threatening loss of jobs. Despite such threats, the nascent peace movement has continued to grow and it derives its potential strength from many people who have never been associated with Charter 77 or who have been only distant and silent supporters of it. This also means that it is more difficult to monitor their harassment. VONS has published a statement on the case of a young Christian, Jan Pukalik, who is now awaiting trial for collecting signatures for a peace petition in a village near Brno. He faces up to three years' imprisonment for this "incitement against the Republic."[43] It is likely that there are other such cases.

The dialogue with the peace movement has proved to be the catalyst for the anticipated tension within Charter 77 which has slowly grown as contacts with the peace movement have developed into a full-fledged political discussion. The number of individual

samizdat essays critical of the peace movement has increased. These tensions were also evident in a letter sent in May 1984 to the British peace movements END and CND by the new Charter spokesmen, who included Vaclav Benda. In this letter, the spokesmen asserted that END had distorted the Charter's position on the peace movement by attributing to it a statement to the effect that, "governments which step up the arms race in the name of defending basic freedoms and human rights only bring closer the danger of nuclear war in Europe." Charter 77, said the spokesmen, had never said "anything of the sort, either directly or indirectly."[44] In fact, of course, this was essentially the position expressed in the Charter's letter of November 1981 to the western peace movements. Benda and his colleagues declared that they welcomed the dialogue with the peace movement which they perceived as "an expression of profound civic responsibility." They also stated, though, that "some of us would sooner take the risk (however great) of a firm stand than the inevitably unhappy consequences of appeasement." This statement was quoted by President Reagan in a speech delivered in Dublin in June 1984. Large parts of the letter were seized on by western opponents of the peace movement, and the letter received more publicity than any other Charter document on the peace issue.

Many Chartists felt that the letter did not reflect the consensus of opinion within the movement and that the western reaction had distorted the Charter's position. This gave rise to a debate on the need to ensure that future statements did reflect the consensus, a debate which was given added impetus by the publication of a Charter document entitled "The Right to History."[45] This document, signed by all three spokesmen, argued, among other things, that under the Catholic Habsburg dynasty (1618–1918) the Catholic Church had represented a force of enlightenment and upsurge in the cultural life of the nation. This challenge to the Protestant, Hussite, and reformation traditions of the Czechs was strongly criticized by many Chartists.

It was in the atmosphere of the ensuing and sometimes acrimonious debate that Charter 77 attempted to formulate a comprehensive position on the current state of the peace dialogue in a letter sent to the third END convention in Perugia, Italy.[46] Painstaking efforts were made to ensure that such a sensitive document would take account of the majority of political views expressed within Charter 77. The resulting document was signed not only by the spokesmen but also by thirteen prominent Chartists from different parts of the country.

The Chartists maintained the past emphasis on the importance of citizen-based politics within individual European nations to secure democratic relations between citizens and their governments, and the need to increase contacts across the frontiers of the political-

military divide "which separates us against our will." The document singles out the division of Europe as one of the major underlying causes of the nuclear arms race and superpower confrontation. It welcomes the proposal of some sections of the West European peace movement for the withdrawal of both US and Soviet troops from Europe. It considers the dialogue with the peace movement as "absolutely essential" and looks both to a "rapprochement of our positions" as well as to forms of practical cooperation which, the Chartists believe, could bring nearer the establishment of a "just and democratic peace."

The signatories preserve a certain continuity by not rejecting the May letter to END and CND. However, they clarify its criticism as being "levelled solely at the sort of myopic pacificism which regards the peace movement as nothing more than a movement opposed to weapons, chiefly nuclear ones, and fails to appreciate the external circumstances which dictate arms policies." Such naive pacifism is, in the Chartists' view, all the more harmful because "it divests the peace movement of spiritual and democratic significance," it "separates the issue of peace from the whole pattern of social relations" within Eastern Europe, and from the issue of East European democratization. More importantly, the Chartists express the hope that "a democratic majority within the peace movement" could be achieved by an alliance of Charter 77 and similar groups in other East European countries with those sections of the western peace movement which endorse the link between peace in Europe and the improvement of basic freedoms in Eastern Europe. They look forward to a joint statement of common policies from such groups.

As a first step toward adopting a common position, sixteen leading Chartists, including Havel and Sabata, and thirteen East German activists issued a "Joint Declaration of Independent Peace Defenders . . ." in November 1984.[47] They endorsed the notion that it is the division of the world into blocs rather than nuclear armaments that is the main cause of the current international crisis. They expressed criticism, though in cautious terms, of both western and Soviet bloc policies. The remarkable consensus achieved within the Charter on this controversial issue in its Perugia letter suggests that Charter 77 should be able to lend its support to the joint appeal.

The dialogue with the peace movement marked not only a more political stage in Charter 77 activities but also a qualitative change in its attitude toward the West. Before the dialogue, the Charter had turned to the West only rarely and then usually on behalf of persecuted individuals, such as Battek or Sabata. Their skepticism regarding help from abroad, rooted in the country's historical experience, was reinforced by disillusionment with international orga-

nizations and governments who offered no help or, in a few cases, only moral support.

The birth of the Charter was encouraged by a belief in the Helsinki principles, in international covenants on civil rights, and in the beneficial impact of debate. However, it soon became clear that the West was unable to insist on the observance of international covenants, that detente offers no guarantee of human rights, and that, in fact, as Sabata has noted, "the old policy of detente is in crisis but has not yet been superceded by a new democratic peace policy."(48) It is not surprising that the Charter's experience has pushed it toward the unofficial civil rights and peace movements in both the East and the West. The failure of the "constructive dialogue" with the government and, to a lesser extent, a greater exposure to western political groups, have also contributed to political crystallization, both within and outside Charter 77.

The application of western political labels to reality east of the Elbe is always inaccurate and misleading. However, if forced to use them, I would say that at the moment we are witnessing something of an upsurge in rightist tendencies, linked in particular with the increased influence of Catholicism, and a simultaneous revival of democratic socialist thinking, at the expense of both the center and those who wished to refrain from any form of political arguments. Within the Charter, the influence of these trends, although growing, is still blunted by the need to maintain unity.

The Charter's main weaknesses are its lack of support in Slovakia and, despite the fact that an increasing number of workers are signing the Charter, its failure to provide a mass appeal to workers through the presentation of its work and documents. Nor has the Charter's work been complemented by large-scale activities on the part of the Catholic community, as has been the case in Poland. Czechoslovakia has traditionally been less religious than Poland but the authorities, nervous about the help the Catholic Church gave to Solidarity, has not only frozen relations with the Vatican since December 1980 but has also stepped up repression of Christians, especially Catholics. Many priests banned from exercising their pastoral duties and abandoned by the Church hierarchy continue to preach privately, giving rise to an "underground church." There are now about 500 priests, including those who have never been given a state permit, who conduct clandestine services predominantly for young people attracted by heightened moral and ethical issues. The existence of this underground church fuels the repression of courageous priests. Although their prison sentences are significantly shorter than those imposed on workers like Jiri Wolf or socialists like Rudolph Battek, they are much more numerous. The fact that approximately 30,000 people signed petitions requesting that the Pope visit Czechoslovakia also indicates an increasing interest in the Church.

The Czechoslovak opposition in general, and Charter 77 in particular, has been subjected to greater repression than the larger and stronger Polish opposition. The hard core of Charter 77 is small but it has the open support of about 1,200 signatories and it can rely on the active involvement of thousands of others and the silent sympathy of many more. The impact of Charter 77 and the opposition as a whole is far greater than its numbers and its relative isolation would suggest. The fear and anger displayed by a regime which feels threatened by its very existence is only one indication of this. The government, brought to power by Soviet tanks, alienated from the population, and afraid of even moderate reforms that might revive the memory of 1968 and open the floodgates to the unpredictable, needs for its continued stability the undisturbed silence of a fearful population paralyzed by corruption and a preoccupation with consumer goods.

The opposition, being only the tip of the iceberg of massive discontent (Havel), is able to expose the hypocrisy of the regime and deny it its longed-for legitimacy. If Czechoslovakia, to quote Zdena Tomin, is a frozen lake, then the opposition is the visible crack in the ice which stimulates the hope of the silenced majority, fights apathy and nihilism, and keeps traditional values alive by acting as a catalyst for the development of parallel structures or independent activities. The space for an all-important inner freedom, created by the first opposition groups at the onset of "normalization," has not only been preserved but, despite several setbacks, has grown since 1977. The forms, methods, and tactics of the opposition may change, but if the thread linking past and future, preserving important values, passing on hope and experience, and bridging the periods of depression is not broken, then the opposition will be able eventually to create an atmosphere favorable to social and political change. People such as Sabata, Battek, Uhl, Havel, Muller, Lis, and many others will ensure that it will remain strong. Cooperation with movements in other East European countries and in the West could ensure that if the international situation opens a door to change, it will never again be closed in the opposition's face.

Jan Kavan
London, November 1984

1. Milos Rechrt, "Ceho jsme se dockali od Charty 77 po trech letech jejiho pusobeni," samizdat, Palach Press archives.
2. Of the Central Committee elected during the August 1968 invasion, only 15 members became Chartists. Only one member of the Dubcek Presidium, Dr. Frantisek Kreigel, signed the Charter.
3. Full text published in *Labour Focus*, May–June 1978, pp. 9–11.
4. *Labour Focus*, Sept.–Oct. 1978, p. 7.
5. Sabata has expressed these ideas on numerous occasions since 1978, most recently

in a letter to his interrogator in the STB, November 1982. (Extracts in *Labour Focus*, Summer 1983, pp. 6–9.)

6. See *The New Statesman*, 10 Nov. 1978.
7. For the full text see Gordon Skilling, *Charter 77 and Human Rights in Czechoslovakia* (London: George Allen and Unwin, 1981), pp. 265–268. For contributions to the preceding debate see *Labour Forces*, July–Aug. 1978.
8. See Skilling, *op. cit.*, pp. 261–265.
9. See *Labour Focus*, May–June 1979, pp. 16–21.
10. *Ibid.*
11. *Palach Press Bulletin*, No. 10 (Oct. 1978); *Labour Focus*, Nov.–Dec. 1978, p. 2.
12. *Ibid.*
13. To be published in English by Hutchinson Education, London, May 1985.
14. Vaclav Havel, "Power of the Powerless," manuscript, Palach Press archives, p. 21.
15. The full texts of all Charter documents and VONS statements may be obtained from Palach Press.
16. The most severe sentence—three-and-a-half years—was meted out to Ales Machacek, a 31-year-old agricultural engineer sentenced for subversion of the Republic together with Vladimir Lastuvka, a nuclear physicist, for having distributed Charter documents and literature sent from abroad to industrial workers.
17. *Palach Press Bulletin*, No. 12 (Dec. 1979), pp. 13–14.
18. *Krytyka*, No. 8, Warsaw, 1981.
19. *Labour Focus*, Jan.–Feb. 1979, p. 5.
20. *The Times*, London, 1 Feb. 1980.
21. *Palach Press Bulletin*, No. 15–16 (Jan. 1981), pp. 2–3.
22. A good example is Zina Freundova, a member of VONS and of the Group of Charter 77 Spokesmen. In October 1981 she was sexually molested and beaten up, suffering severe concussion. When she had recovered, a brick was thrown at her and she was hit on the head. During interrogations she was told that thanks to the Polish situation, the STB had been given a green light to do what they wanted. "I was not prepared to be killed," said Zina when she emigrated to London in June 1982.
23. *Palach Press Bulletin*, No. 17, p. 48.
24. *Palach Press Bulletin*, No. 21–23, p. 45.
25. *Palach Press Bulletin*, No. 18–20, pp. 5–6.
26. *Ibid.*, p. 27.
27. This cooperation, especially between movements in Czechoslovakia, Poland, and Hungary, is growing and has recently led to the formation of the London-based East European Cultural Foundation which will publish samizdat books and distribute information from these countries.
28. *Voices from Prague* (London: END/Palach Press, 1983), pp. 22–23.
29. *Ibid.*, p. 23.
30. *Ibid.*, p. 25.
31. *Ibid.*, pp. 26–28.
32. *Ibid.*, pp. 10–13.
33. *Ibid.*, pp. 71–72.
34. *The Times*, London, 1 July 1984.
35. *The New Statesman*, 1 July 1983.
36. *Voices from Prague*, op. cit, pp. 53–71.
37. Victor Allen, *The Guardian*, London, 28 June 1983.
38. J. Newton, *The Guardian*, London, 2 July 1983.
39. Antoine Spire's April 1983 interview with Havel, quoted in *Voices from Prague*, pp. 42–43.
40. Quoted from *The Times*, London, 1 July 1983.
41. *Palach Press Bulletin*, No. 24 (April 1984), pp. 49–52.
42. *Ibid.*, p. 128.
43. Palach Press archive.

44. *Palach Press Bulletin*, No. 25.
45. For a detailed summary see *Palach Press Summary of Available Documents*, No. 24 (July 1984), p. 41.
46. *Palach Press Bulletin*, No. 25. (A long extract was published in the *New Statesman*, 20 July 1984.)
47. Full text in *Palach Press Bulletin*, No. 25; extract in *The Times*, 23 Nov. 1984.
48. *Voices from Prague*, p. 69.

HUMAN RIGHTS INTERNET

The **HUMAN RIGHTS INTERNET REPORTER** is the most current, comprehensive reference work in the human rights field. A typical issue includes: the human rights activities of organizations worldwide; key human rights developments in the Americas, Africa, Asia, Europe and the Middle East; bibliographies; scholarly research and publications; teaching and audio-visual materials; and book reviews.

Subscriptions (5/year): institutions $50; individuals $35.

HRI's Directories are indispensable tools for the human rights community:

- **EAST EUROPEAN HUMAN RIGHTS DIRECTORY** *(forthcoming Spring 1984)* documents key human rights groups and dissident movements in Eastern Europe and the USSR since the 1970s. Also includes official bodies in the region concerned with human rights, as well as Western organizations working on behalf of human rights in Eastern Europe. *$25 approx.*
- **NORTH AMERICAN HUMAN RIGHTS DIRECTORY** *(3rd edition forthcoming early 1984)* describes groups in the U.S. and Canada concerned with international human rights. *$30*
- **HUMAN RIGHTS DIRECTORY: WESTERN EUROPE** *(1982)* describes over 800 West European-based organizations concerned with human rights and social justice. *$30*
- **HUMAN RIGHTS DIRECTORY: LATIN AMERICA, AFRICA, ASIA** *(1981)* describes some 400 organizations in Latin America and the Caribbean, Africa, the Middle East, Asia and the Pacific concerned with human rights and social justice. *$22.50*

All directories half price to subscribers.

Human Rights Internet / 1338 G Street, S.E. / Washington, D.C. 20003 U.S.A.

To the editor:

I am writing in response to two articles which appeared in *Poland Watch* No. 5: "Censorship and Law," by Ewa Hauser; and "The New Press Law—How Restrictive?," signed with the initials J.K., who I presume is Jacek Kalabiński. Some of the information they contain is quite incorrect. I cannot correct all the errors made but would like to comment on the more significant ones.

As far as Ewa Hauser's article is concerned, first, the Gdańsk Agreements did not include a point on giving the press complete access to government documents. Points 3 and 4 state: "The press, as well as citizens and organizations, must have access to public documents, and above all to administrative instructions and socio-economic plans, in the form in which they are published by the government and by the administrative bodies which draw them up. Exceptions to the principle of open administration will be legally defined in agreement with Point 3, Paragraph 1" (the law on censorship). This point, the purpose of which was to introduce the institution of an ombudsman on the Scandinavian or English model, was never implemented. But even in its intention it was never so revolutionary as to suggest full access to government documents.

Second, the censorship law was never negotiated between Solidarity and government representatives. It was written by several private individuals not belonging to any single organization. I belonged to this group from the beginning to the end of its activity. After writing a draft law we sought support for it from the Coordinating Committee of Scientific and Creative Organizations, and Solidarity. Both organizations supported our proposals, but as the chief supporter, the Coordinating Committee, headed by Professor Klemens Szaniawski (whose election as rector of Warsaw University in May 1984 was vetoed by the authorities), negotiated with the government. The chief government negotiator was the then Minister of Justice, Jerzy Bafia. Solidarity was represented by Jan Józef Lipski and Jan Wojnowski. This was the extent of Solidarity's participation: they had their own representatives in negotiations conducted by the Coordinating Committee. Our group served as advisors to the Committee during the negotiations. The Committee was also served by representatives from academia, literature, film, journalism, architecture and the arts. Thus, the Solidarity representatives did not enjoy a special position but had an equal say in all matters. They did not agree with everything that was said. An example is the well-known argument concerning union newsletters. Solidarity demanded that they be exempted from censorship—that is, only union newsletters, and not the newsletters of all associations and social organizations. Solidarity demanded privileges that were not compatible with the rule of law. These should have been applicable to everyone, and although Solidarity won partial privileges, we did not support it.

It appears to me that this history of reaching a censorship agreement is interesting in at least three ways. First, this was the first such agreement reached through a societal initiative and written by people outside the government apparatus. Second, during a time when all organizations were hiding under the umbrella of Solidarity, because they were afraid they were not equal to their tasks (after all, for years they had functioned in undemocratic structures and sought "support" for, and the settlement of, their problems

from those who were stronger, namely the Party), we succeeded in doing something completely private and independent simply from a feeling of social responsibility. And third, this law was perhaps the best example of the degree to which this was a "self-limiting revolution," how well all the limitations were understood by society, and how peaceful were society's intentions toward the authorities, which it certainly did not like. I can understand Ewa Hauser's lack of knowledge on this subject because, after all, she was not in Poland at the time, but I fail to understand why, in the same issue of *Poland Watch*, Jacek Kalabiński writes that the law on censorship was due to Solidarity and the Association of Polish Journalists.

I recall that during the writing of the law we had many moral doubts; after all, we were policing freedom of speech, and limiting this freedom. We were afraid that no one would forgive us for this, that our position would not be understood by society. The representatives of the Coordinating Committee had similar doubts when we asked them to continue our initiative. I remember that Andrzej Szczypiorski (a writer) was convincing himself and his colleagues with the argument that living with our reality we cannot go through life without staining our "white angels' wings." But apparently this law was accepted, since it now has so many fathers. I can only confirm that the APJ was very interested in the matter. It had its own representatives in the negotiations, but its role ended there. The APJ could do nothing more; it was not acting together with Solidarity because Solidarity was working with the Coordinating Committee and Klemens Szaniawski. The APJ was also involved with its separate internal matters. It was "renewing itself," strengthening itself to do something with its moral hangover. After a number of years of well-paying lies, the APJ was trying to regain an honest face. Sixteen months to regain one's face is not a very long time. The workers did not forgive so quickly. They did not admit journalists to their meetings; the KKP even rejected journalists from union meetings. The APJ thus had many internal problems. It organized its own conventions, elected a new president, and journalists began to perform professionally—they tried to write the truth and provide information. How effective were these changes, December 13 showed. I think that to this 16-month history nothing should be added that did not happen. The bare facts are enough.

Returning to Ewa Hauser's article, it is easy to see why the author did not understand the censorship agreement, since she based the article on such sources as the books of two previous Ministers of Justice, Sylwester Zawadzki and Jerzy Bafia, and an article in *Prawo i Życie*. We in Poland, however, felt that we were providing a good description of the discussions on the censorship agreement. Concerning the evolution of this societal initiative and the subsequent discussions, as well as the positions taken by society and the government, I wrote three long articles in *Tygodnik Powszechny*. The legal regulation of censorship since 1946 was also discussed in *Tygodnik Powszechny* by Bolesław Banaszkiewicz. *Tygodnik Solidarność* published an article by Jan Górski on the results of a poll of members concerning the eventual form of the censorship law. The findings of this poll provided much information on the extent of censorship in Polish academia and culture and resulted in many refinements and additions to the final law. In *Polityka*, Stanisław Podemski published articles on the negotiations and final agreement. In *Tygodnik Solidarność* there are also my extensive reports on the first encounters with the censorship apparatus. Ewa Hauser knew of these last sources because her final four pages are a summary of their information. It is unfortunate, however,

that she improperly footnoted this and forgot to credit the author. This law increased our freedoms in Poland, but was still very far from the requirements of the Covenant on Civil and Human Rights ratified by Poland. It did, then, limit freedom of speech, and we were aware of this. But we could hardly dream of complete freedom of speech; we simply wanted more than we had previously.

In the article by J.K on the new press law, a large part of the information concerns the exclusion of political parties—mainly the PUWP—from press control under the new press law. But in the entire press law there is nothing said about this. J.K. quotes Article 4 of the law, which refers to the responsibility of government organs, institutions and enterprises, as well as private citizens conducting business in providing the press with information. This article does not pertain to associations or social organizations. The Party, in a legal sense, is a social organization. Article 4 of the press law thus reveals that not only are political parties not obligated to disclose information, but that this applies to all associations and social organizations, including the Church. Is this wrong? As far as I know, the Church wanted precisely this formulation. The Party does not have to provide information, and if this were otherwise, I would be surprised. This would be the first time in the history of communist countries that a political party was subject to any kind of control. This would be a greater revolution than that of Solidarity.

J.K. also found in the new press law a provision which "protects the top people of the nomenklatura." But this is not the purpose of Article 13, which prohibits the expression of opinions in the press until a court has handed down its final verdict. The press *can* under this new law express an opinion about defendants before the State Tribunal because the State Tribunal is not a court, it is part of the judiciary. Thus, "the top people" whose policies are investigated by the State Tribunal are not protected by this law. The main point of the law on the press lies elsewhere, but J.K. fails to see this or else he engages in pure speculation even though the law spells out, in great detail, the new situation of the press and journalists in Poland.

For example, the status of journalists is described clearly in Article 10. The journalistic profession is here called a "social service." This means that a journalist is on call twenty-four hours a day, that he has no private life, that private opinions and views will not be tolerated because it is a journalist's duty to follow the "programmatic line of the publisher." Violation of this is a violation of professional responsibility. A sanction is thus also provided for. For violation of professional responsibility, the Labor Code allows for immediate dismissal without notice. To this we can add the provisions of the "specific regulations" in force during the period of socio-economic crisis. These make it clear that an employee dismissed from work for violating professional responsibility not only will encounter difficulties in finding new employment, but that if he does find employment, his wages will be the lowest allowable for his category. To this is added a shortened vacation entitlement, the cancellation of benefits that work seniority brings and a long list of other restrictions. There is thus no doubt as to the current status of journalists in the PPR. These regulations are very clearly written and do not "open up the possibility of an interpretation which may severely limit the individual's right to express his opinions," as J.K. writes. They clearly limit freedom of expression and leave nothing to the imagination. One simply has to know how to read the law.

A description of the remaining clauses of the press law would reveal them

to be similar to those I have already described. I do not want the above to be misunderstood. For me these articles reflect common misunderstandings of legal terminology. It is difficult to write on matters that require specific knowledge. Those writing on legal matters are, in general, people with a law background. The example of J.K. clearly shows that to read one law is not enough to understand all its ramifications. The law has its own language, rules and technicalities. But it is not simply a matter of technical error. To write about law and justice involves accepting responsibility for misleading information. Especially when writing about a country that borders law and lawlessness as does Poland.

Sincerely,
Jolanta Strzelecka

Ewa Hauser replies:

I will only address myself to the main criticisms Jolanta Strzelecka offers of my article. For example, the first of her challenges does not deserve an answer, since anyone who read my discussion of the Gdańsk Agreement carefully would recall that, in fact, I did testify to Solidarity's readiness to respect state and economic secrets. The Agreement stated, and I reported in the text of my article, that citizens and the press should have "access to the products of government bodies." But I also reported, in the same paragraph, that "Censorship was to protect state and economic secrets, state security, and important international interests."

In her second point she implies that it was a matter of "misinformation" on my part to write that it was Solidarity that negotiated the censorship law with the government following the Gdańsk Agreement. She points out that the draft law was negotiated by a group representing various interests among which also, but not mainly, was Solidarity. She is, of course, right in all her facts, but she is too quick in her judgment of the author's intent. An earlier version of this article did describe the broad base of what was commonly called the "Social Side" of the negotiations. Because the original article was rather long, the section describing the composition of the "Social Side" of these negotiations was deleted. Unfortunately, and only for the sake of better English, with that description also went the phrase "Social Side," to be replaced by a shorthand for society after August, "Solidarity." I am sorry if this shorthand was misleading, and if this substitution leads to an oversimplification of the highly complex reality of Poland between August and December. Though regretable, I do not think it makes much difference to the general thrust of my article. For it was not my intent to show the socio-political pluralism of Polish society at this time (as Strzelecka seems to think I should have done: see "the three most interesting aspects of the drafting and negotiating of the censorship law" as she lists them). Instead, I focused on the *outcome* of the law, outlining the changing strategies and practices of censorship under pressure from society.

It is for that reason that I felt it necessary to analyze documents and books published on the topic of freedom of speech by the "government side." Strzelecka seems to be quite insulted by the fact that I quote and analyze such worthless books as those by the former Minister of Justice and all the official government publications *instead* of reading pieces produced by independent journalists like herself. She is wrong on two accounts. First of all, I did not read the government documents to find out how censorship really worked,

but only to outline the official line in defense of censorship and the acrobatic efforts on the part of the authorities to convince its readers that the Polish government really secures their freedom of speech (a thankless task, it is clear, from my treatment of this issue). I suppose she did not read what I had to say about these official books, or else she could not have suggested that I based my knowledge of censorship on them. Second, and much more important, she is wrong in thinking that discussing the official line outside Poland is as superfluous as it might be within the Polish independent press. Not all the readers of *Poland Watch* have been brought up on the official line and it is necessary to outline what sort of propaganda the society had to overcome. *Poland Watch*, I must stress, is not addressed mainly to a Polish audience.

In terms of the general thrust of her criticism, I must take exception with her general devaluation of the role Solidarity played in these events. I expect that this is the result of her being too close and too entangled in the affairs of the day. But it is important to bear in mind an obvious truth: without the initial victory of the workers in the Lenin Shipyard on issues which did include points on freedom of speech, her group of "private citizens" acting from "a feeling of social responsibility" would never have had the occasion to draft a law on censorship, and even if they had drafted it, the government would never have been forced to negotiate it with them.

Finally, I decline the excuses she makes for my alleged ignorance of the events (because "Ewa Hause was not in Poland at that time"). I have in fact read most of the articles she refers to and I apologize if at one point I did not indicate her by-line, though I did credit her reports on several other occasions. Though the trial material is in fact based on Strzelecka's reports, the last four pages contain commentary on the censored material written by me, not by her. In any case, eye witnesses, though remarkable as sources of data, often lack the necessary perspective for analysis.

Jacek Kalabiński replies:

Ms. Strzelecka's letter hardly deserves a response, since she states rather arbitrarily that the Association of Polish Journalists was only "very interested in the matter" and "was not acting together with Solidarity because Solidarity was working with the Coordinating Committee." Let me just remind Ms. Strzelecka that the APJ was a member organization of the Coordinating Committee. It also managed to organize several meetings with Sejm deputies involved in work on the censorship law and was constantly applying pressure on the government. The APJ was not doing "something with its moral hangover," since the freely elected executive of the APJ, with Stefan Bratkowski as president, had no reason whatsoever to blame itself for the political opportunism of former APJ executives who were defeated in the 1980 elections.

Moreover, when she is discussing the role of journalists in the period of Solidarity's legal existence and states ironically that "how effective were these changes, December 13 showed," Ms. Strzelecka fails to mention that after that date over 2,000 journalists were purged from the profession. The APJ was the *first* organization to be banned by the martial law authorities, even before Solidarity.

I agree that bare facts are enough, provided one does not expressly omit to mention some of them in order to prove one's own righteousness and the faults of everybody else.

Available from the Poland Watch Center

Adam Michnik, *Szanse polskiej demokracji,* Aneks, 1984, 252 pp., $10.50

Jacek Kuroń, *Polityka i odpowiedzialność,* Aneks, 1984, 220 pp., $10.00

Jan Józef Lipski, *KOR,* Aneks, 1983, 434 pp., $17.90

Tadeusz Mazowiecki, *Internowanie,* Aneks, 1983, 67pp., $6.00

Waldemar Kuczyński, *Obóz,* Aneks, 1983, 120 pp., $6.50

Władysław Bartoszewski, *Dni walczącej stolicy: Kronika Powstania Warszawskiego,* Aneks, 1984, 376 pp., $15.00

Jan Tomasz Gross, Irena Grudzińska-Gross (eds.), *"W czterdziestym nas matko na Sybir zesłali . . .,"* Aneks, 1983, 500 pp., $19.00

Barbara Toruńczyk (ed.), *Narodowa Demokracja,* Aneks, 1983, 316 pp., $14.00

Georgij Władimow, *Wierny Rusłan,* Aneks, 1983, 112 pp., $6.50

Andrzej Tymowski, *The Strike in Gdansk,* 56 pp., $2.75

Andrzej Tymowski, *Solidarity Under Seige,* 72 pp., $3.50

Also: ***Aneks, Krytyka, Puls, Res Publica, Zapis,*** and copies of documents from Poland

Add 10 percent to cover mailing and handling.

Poland Watch
1775 T Street NW, Washington, DC 20009

CALENDAR OF EVENTS

August

Aug. 3. White House spokesman Larry Speakes announces a shift in the US attitude toward sanctions against Poland.

Aug. 10. Polish media announce that 12 unidentified activists of "Solidarity factory structures" in Wrocław have reported to the authorities and "expressed their desire to return to peaceful and normal work."*

Aug. 13. Several thousand people, including Lech Wałęsa, attend a special mass celebrated by Warsaw priest Father Jerzy Popiełuszko in Gdańsk on the fourth anniversary of the Gdańsk shipyard strike. Watched by several hundred people, Wałęsa lays flowers at the foot of the Gdańsk Three Crosses Monument.

Aug. 15. In commemoration of the anniversary of the 1920 Polish-Soviet battle for Warsaw, a crowd numbering up to 1,500 people marches from St. Anne's Church in Warsaw to the Tomb of the Unknown Soldier, where it is addressed by veteran oppositionist Wojciech Ziembiński.

• A meeting of the government's Socio-Political Committee, headed by Deputy Premier Mieczysław Rakowski, reports that: "Teachers holding opposition views are attempting to exercise a destructive influence on the minds of the young," and "opposition elements are exploiting the Law on Higher Education for purposes contrary to the legislator's intentions."*

Aug. 16. The Polish government formally replies to the US announcement concerning the partial lifting of sanctions by saying that the move does not answer Poland's real needs, since the most important sanctions—the suspension of most favored nation trading status, the ban on normal financial and credit relations, technological tranfer restrictions, and the blockade of higher-level political contacts—have not been lifted.

Aug. 19. Jack Kuroń and Andrzej Rozpłochowski, both recently released from prison under the terms of the amnesty, speak in church in Podkowa Leśna outside Warsaw.*

Aug. 20. Church sources confirm that high-level talks with government representatives have been taking place in the effort to secure the release of Gdańsk Solidarity activists Bogdan Lis and Piotr Mierzewski and all other remaining political prisoners.*

Aug. 21. The underground Solidarity leadership (ICC) isues a statement calling for a public show of support for Solidarity on August 31—the fourth anniversary of the Gdańsk agreements. The anniversary, says the ICC, should be celebrated as a holiday, with detailed arrangements left to local Solidarity chapters.

Most of these items have been taken from successive issues of *Uncensored Poland*. Items marked with an asterisk are dealt with at greater length in this issue of *Poland Watch*.

• A mass for political prisoners recently released is held in St. Stanisław's Church in Warsaw. Among those present are five of the Solidarity eleven—Jacek Kuroń, Adam Michnik, Seweryn Jaworski, and Zbigniew Romaszewski.

Aug. 23. Polish media report that Solidarity leaders Władysław Fransyniuk and Jan Rulewski have attempted since their release from prison to conduct "activities which could result in a breach of public peace and legal order." They have been warned that they risk losing "the benefits of the amnesty."*

Aug. 24. Jacek Kuroń says police prevented him from traveling to Gdansk for a meeting with Lech Wałęsa. He was taken from his home and held for 90 minutes at a local police station, where he was warned about his activity since leaving prison.

• Reporting that Jacek Kuroń and Andrzej Rozpłochowski were given "tremendous applause" when they spoke at St. Christopher's Church in Podkowa Leśna, a Polish TV commentator criticizes the use of churches as a forum for political speeches by some opposition activists.*

Aug. 25. Józef Pinior, former Wrocław Solidarity leader and member of the ICC, reportedly states that his apartment was searched by 5 policemen on August 23.

Aug. 26. At a mass attended by some 12,000 people, Father Jerzy Popiełuszko urges the authorities to extend the amnesty to all political prisoners and to allow underground Solidarity leaders an unconditional return to normal life.

Aug. 27. In preparation for the fourth anniversary of the Gdańsk agreement, some regional authorities have introduced summary legal procedures to be used to try people accused of disturbing the peace or taking part in demonstrations.

• Polish media report that Seweryn Jaworski, a member of Solidarity's national leadership and recently released from prison, has been summoned to the Warsaw Prosecutor's Office and warned against continuing activities which could "violate legal order and social calm" and which might jeopardize his amnesty.

Aug. 29. Lech Wałęsa issues the text of a speech he hopes to deliver on August 31. It stresses the need for compromise and national reconciliation to overcome the economic crisis and states that the amnesty was a step in the right direction, but more government concessions, including the implementation of pluralism of "professional and social organizations," are needed to avert a worsening of the situation.

• In an interview for PAP, Deputy Prime Minister Rakowski states that Solidarity leaders never intended to fulfill the Gdańsk agreements and that they used the agreements as a platform for the struggle against socialism.

Aug. 30. Warsaw Radio Solidarity broadcasts a statement by Warsaw underground Solidarity leader and ICC member Zbigniew Bujak, calling on people to give active support to Solidarity.

• Polish media report that Wojciech Ziembiński has been sentenced to 3 months' imprisonment for having led an "illegal gathering" and delivered a speech "showing disrespect for the Polish People's Republic." (See Aug. 15.)

Aug. 31. Lech Wałęsa, together with 1,500 workers from the Lenin Shipyards in Gdańsk, marches to the Three Crosses Monument, where another 500 people are waiting to lay flowers. Police check identity cards.

• Władysław Frasyniuk and Józef Pinior are arrested in Wrocław during pro-Solidarity demonstrations and sentenced to two months' imprisonment.* Their arrest touches off a march by thousands of demonstrators who are dispersed with some violence by riot police.

• There are reports from a number of Polish cities that thousands of leaflets have appeared on the streets calling for a peaceful commemoration of the anniversary.

• Marian Jurczyk, chairman of the Szczecin Regional Solidarity Board and recently released from prison, lays a wreath at a plaque commemorating those killed by police in December 1970.

• Kazimierz Świtoń from Katowice, organizer of pre-Solidarity Free Trade Unions, announces that he is starting a hunger strike to pressure the authorities into allowing the creation of Christian trade unions.

September

Sept. 1. The Warsaw Prosecutor's Office reports that Stanisław Kotowski and Andrzej Karpiński have been detained while transporting printing equipment and large quantities of Polish-language publications "illegally sent into this country."*

Sept. 3. It is reported that 219 people were detained in Wrocław in connection with "breeches of public law and order." Of these, 112 have been released.

Sept. 3. Jerzy Urban tells foreign journalists that there is a possibility of amendments to the Penal Code allowing the deportation of opposition activists.*

Sept. 6. The text of a third joint statement signed by Lech Wałęsa and representatives of other outlawed trade unions reaches western correspondents. Responding to the government's call for greater social activity to overcome the economic crisis, the statement argues that this can only be achieved if the authorities allow the formation of free trade unions and other social organizations.

• A mass at St. Stanisław's Church in Warsaw to mark the fourth anniversary of the founding of Solidarity's Warsaw Region is attended by up to 10,000 people. Several Solidarity leaders, including Seweryn Jaworski and Henryk Wujec, are greeted with Solidarity shouts.

• Zbigniew Bujak issues a statement in commemoration of the anniversary, thanking the Church for its work on behalf of Solidarity and urging people to do more in support of the union.

Sept. 7. A meeting of the college of chairmen of the new trade unions adopts a draft programmatic statement for the union movement and sets up an "initiative group" charged with organizing a national coordinating meeting for the movement.

Sept. 12. Three Sejm deputies—non-party member Edmund Osmańczyk, Ryszard Reiff, ousted leader of PAX and martial law critic, and Janusz Jabłocki, recently ousted leader of the Polish Catholic-Social Union—protest against the recent proposal to deport political opponents of the regime in a written parliamentary question submitted to General Jaruzelski.

Sept. 15. Police detain 6 people who visited the home of Kazimierz Switoń on August 31. After several hours they are released.

• Polish media report that Janusz Pałubicki, recently released from prison, has been warned by the Poznań Prosecutor's Office that he might return to prison if he does not give up activities which "could lead to a breach of legal order and public peace."

Sept. 16. The Catholic weekly, *Tygodnik Powszechny*, strongly criticizes the proposal to deport opposition activists.*

• Polish media report that there exist at certain universities "groups of academics with opposition views who [are] trying to exert inappropriate influence over the attitudes of young people."*

Sept. 18. Writing in the official weekly, *Tu i Teraz*, under the pseudonym Jan Rem, Jerzy Urban attacks Father Jerzy Popiełuszko for stirring up hatred against the Polish authorities.*

Sept. 20. Polish media report that the Minister of Justice has instituted proceedings against the Supreme Council of Lawyers. The minister objects to 6 resolutions adopted by the Lawyers' Congress in October 1983 and maintains that one of them "slanders the authorities and the political system of Poland."

Sept. 22. Kazimierz Switoń ends his hunger strike after a plea by Archbishop Dąbrowski, secretary of the Polish Bishops' Conference. Western press agencies report that Switoń's phone has been "out of order" since the beginning of his hunger strike and that visitors to his home are permanently monitored by police.

Sept. 24. A number of Solidarity leaders meet at Lech Wałęsa's home in Gdańsk and issue a statement calling for the restoration of free trade unions and urging Solidarity members to display a new realism in finding practical solutions to problems.

• The director of the Theatre of the Eighth Day in Poznań reports that earlier this year the theatre was refused permission to travel abroad and that in June the local authorities withdraw their subsidy of the theatre. A Ministry of Culture official has told him that this is in retaliation for the fact that members of the theatre group corresponding with Adam Michnik during his imprisonment. The theatre now faces liquidation.

Sept. 25. UPI reports that Father Jan Siemiński of Gliwice has been threatened with legal proceedings for "activities harmful to the state" after allowing recently released Solidarity activists to meet in his church.

Sept. 30. A large number of Solidarity activists attend a mass bringing to an end the workers' pilgrimage to the Black Madonna shrine at Jasna Góra monastery and then hold a two-hour meeting to discuss the current situation.

October

Oct. 1. Minister of Education, Benon Miśkiewicz, issues a strong warning that political opposition in the universities will not be tolerated.*

Oct. 8. On the second anniversary of the delegalization of Solidarity, Lech Wałęsa issues a statement calling on the Polish authorities to restore trade union rights in accordance with ILO conventions.

• The government daily, *Rzeczpospolita*, reports that the new trade unions have 4.6 mln. members and that preparations are under way to form a national organization.

Oct. 9. Jerzy Urban states that the Commission for the Administration of Trade Union Property has submitted a summons against Józef Pinior and Piotr Bednarz for the return of 80 mln. złoties taken from Wrocław Solidarity's bank account shortly before the imposition of martial law.*

Oct. 10. Three Solidarity activists from Słupsk are fined 15,000 złoties each for laying wreaths bearing the name "Solidarity" at a monument commemorating the 1944 Warsaw Uprising on August 1.

Oct. 11. It is announced in Bonn that West German Foreign Minister Hans-Dietrich Genscher is to visit Poland in November.

Oct. 12. Five Solidarity activists begin two days of fasting and prayer at St. Brygida's Church in Gdańsk in support of demands to free the remaining political prisoners.

• The independent Committee for the Defense of Legality reports that Mirosław Zabłocki, 24, has been given a suspended sentence of 18 months' imprisonment for refusing to do military service.

• Polish media report that a national meeting of trade union representatives will be held on November 24.

Oct. 13. Another 35 people have reportedly joined those fasting and praying in St. Brygida's Church for the release of all political prisoners.

• More than 4,000 people attend mass in Nowa Huta to mark the second anniversary of the death of Bogdan Włosik, shot dead by a policeman during a demonstration.

Oct. 16. The case against the Supreme Council of Lawyers begins before the Supreme Court.

Oct. 17. Six Solidarity activists go on trial in Katowice charged with stealing printing equipment from the Katowice steelworks.*

Oct. 18. Austrian Foreign Minister Leopold Gratz ends a three-day visit to Poland. He tells journalists that the purpose of his visit was to demonstrate his government's belief that European states should establish normal relations with Poland. He also states that he discussed the cases of several political prisoners and received assurances that the law would not be amended to allow the deportation of opposition activists.

Oct. 19. Father Jerzy Popiełuszko of the St. Stanislaw's Church in Warsaw is kidnapped.*

- The Main Council for Higher Education opposes the Education Minister's proposals to amend the Law on Higher Education.*

Oct. 20. The Supreme Court rules on the case against the Supreme Council of Lawyers by annulling two resolutions and parts of four others passed by the Lawyers' Congress in 1983.

Oct. 21. Jacek Woźniak, well-known defense attorney in many political trials and known for his outspoken criticism of martial law, dies in Warsaw of cancer.

Oct. 22. Lech Wałęsa and members of the ICC issue a joint statement on the kidnapping of Father Popiełuszko, praising his dedication and moral authority and stating that the event is evidence of the introduction of terror and blackmail as a permanent method of political struggle.*

- Greek Prime Minister Andreas Papandreou arrives in Poland.

Oct. 23. Jerzy Urban tells foreign journalists that the kidnapping of Father Popiełuszko is of "supreme concern to the state authorities" and that it is directed against the government.*

Oct. 24. Police media report that two security officials in Gdańsk have been arrested on suspicion of "collaboration with illegal clandestine structures."*

Oct. 27. Minister of Internal Affairs, General Kiszczak, announces that three ministry officials have been arrested in connection with the kidnapping of Father Popiełuszko.*

Oct. 29. Summary court procedures are introduced in many areas of the country. They are to be used to try those charged with failing to leave an "area of public disturbance," putting up slogans or announcements without officials permission, and organizing gatherings without a permit.

Oct. 30. It is announced that Father Popiełuszko's body has been found in a reservoir near Włocławek.*

Oct. 31. In response to the killing of Father Popiełuszko, human rights committees are reportedly being set up in Warsaw, Gdańsk, Katowice, Kraków, and other cities.*

November

Nov. 2. PAP announces that two senior security officials, Colonel Adam P. from the Ministry of Internal Affairs, and Lieutenant Colonel Leszek W. from the Warsaw Internal Affairs Bureau, have been detained. General Zenon Płatek of the ministry has been suspended for failing to exercise proper supervision over his department.*

Nov. 3. The funeral of Father Popiełuszko at the Church of St. Stanisław in Warsaw is attended by crowds numbering up to 250,000.

- Eighteen top Solidarity activists, including all the "Solidarity Eleven," issue a statement concerning the acts of terror committed by the security forces and appealing to the public to press for social control of the security apparatus.
- British Minister of State Malcolm Rifkind arrives in Poland.

Nov. 4. Meeting in London, International PEN announces that Polish PEN will not be formally allowed to function unless the Polish government recognizes the Board elected by Polish members. In 1982 the Polish authorities dissolved the Board and replaced it with their own appointees. International PEN responded by suspending Polish PEN.

Nov. 5. Sixteen members of the former KSS-KOR sign a statement concerning Father Popiełuszko's murder, stating that the authorities intend to increase people's sense of personal danger and tensions in society.

- Professor Edward Lipiński, well-known dissident and founder-member of KOR, writes an open letter to General Jaruzelski holding him responsible for the killing of Father Popiełuszko and criticizing the totalitarian practices of the government.
- Malcolm Rifkind lays a wreath at St. Stanisław's Church in memory of Father Popiełuszko.

Nov. 6. The Politburo meets to discuss internal security, and General Jaruzelski takes over supervision of Party work within the Ministry of Internal Affairs.*

Nov. 7. Jerzy Urban expresses strong objections to public statements made by Malcolm Rifkind and to his meetings with "representatives of illegal structures."

- A delegation from the West German Social Democratic Party arrives in Poland for a three-day visit.

Nov. 9. Lech Wałęsa and Władysław Frasyniuk send letters to the Sejm charging that laws passed since the lifting of martial law allows the police to use unwarranted force against individuals and encourage the feeling that they can do so with impunity.

Nov. 10. Twenty-two people from Kraków announce the formation of a citizens' initiative group for the defense of human rights and against the use of violence.*

Nov. 11. In commemoration of the 66th anniversary of Poland regaining independence after the First World War, thousands of people attend masses in Warsaw, Gdańsk, Kraków, and other cities.

Nov. 12. Fourteen people form the Warsaw Citizens' Committee Against Violence (KOPP).*

Nov. 13. Jerzy Urban tells foreign journalists that former members of KOR, KPN, and Solidarity extremists are taking advantage of the Popiełuszko killing to create anti-state structures with the sham purpose of defending legality.*

Nov. 14. Members of KOPPs in Warsaw, Wrocław, and Kraków are warned by the authorities that their activities are illegal and may result in prison sentences from 3 to 5 years.*

Nov. 15. The governing body of the ILO meets in Geneva and adopts a report critical of the Polish authorities for violating trade union rights and calling for the release of all detained trade unionists.

Nov. 16. The Polish Prosecutor-General announces that "warning talks" have been held with KOPP activists and that "administrative procedures" have been initiated against KOPP members in order to ban any further activity by them.*

- The West German Foreign Minister announces that Foreign Minister Hans-Dietrich Genscher will visit Poland for three days beginning November 21.

Nov. 17. An official of the Polish mission in Geneva reports that Poland intends to leave the ILO because of its adoption of a report critical of the Polish government.

- The Prosecutor-General's Office announces that the "basic investigation" into Father Popiełuszko's murder has been completed and that an indictment will soon be drafted.*
- Polish media report the arrest of former Central Committee member Kazimierz Mijal.*

Nov. 19. The ICC issues a statement charging the authorities with attempting to cover up the planning of Father Popiełuszko's murder within the Ministry of Internal Affairs and to limit the responsibility for the murder to those immediately involved.

- Western correspondents in Poland are warned by the Foreign Ministry that they risk prosecution if they attend press conferences organized by the new human rights committees.*
- Father Henryk Jankowski tells western journalists that in the last 6 months he has received 25 letters threatening his life.

Nov. 20. The Kraków KOPP issues a statement saying that official threats will not cause it to cease activity.*

Nov. 21. The West German Foreign Ministry announces the postponement of Hans-Dietrich Genscher's visit to Poland.

• Father Stanisław Małkowski of Warsaw, an outspoken critic of the government, tells western journalists that since Father Popiełuszko's kidnapping he has received more than 20 letters threatening his life. Father Mieczysław Nowak, transferred from Ursus to a rural parish in February by Cardinal Glemp, says he too has received many such threats.
• Another KOPP group is formed in Wałbrzych.*

Nov. 22. Polish media report that KOPP members in Wałbrzych have been summoned to the Prosecutor's Office and warned that they risk prosecution if they continue their "unlawful" activity.*

Nov. 23. Polish media report the arrest of Stanisław Śmigiel, an electronics engineer from Torun, while in possession of a VHF transmitter.*

Nov. 24. A KOPP group is set up in Szczecin.*
• Over 1,000 delegates of the new trade unions meet in Bytom and form a national organization called the All-Poland Trade Union Accord (*Ogólnopolskie Porozumienie Związków Zawodowych*—OPZZ).

Nov. 25. Twenty-five thousand people attended a "Mass for the Homeland" at St. Stanisław's Church in Warsaw.

Nov. 26. It is reported that another KOPP has been formed in Torun.*

Nov. 28. The Supreme Court orders new local elections in Fajsławice, upholding a protest by Józef Wroński, a member of the local electoral commission, who charged that voters had improperly cast ballots on behalf of members of their families.

Nov. 30. Polish media report that two security officials investigating Father Popiełuszko's murder have been killed in a car accident.*

December

Dec. 1. Polish media publish the results of the post-mortem on Father Popiełuszko's body. Injuries were apparently inflicted with a blunt instrument; these caused him to lose consciousness, but death was caused by suffocation after he had been gagged and tied with a rope round his neck. It seems that he was already dead when his body was thrown into the water.*
• Cardinal Glemp prohibits Father Stanisław Małkowski from preaching in Warsaw churches, because his sermons are alien to the spirit of the gospel and because he has ignored previous warnings against inflammatory speeches. Father Małkowski, known for his anti-communist views, has not been attached to a church for several years.

Dec. 2. It is reported that Stanisław Chać, 42, a former Solidarity chairman at a Lublin car factory, was attacked on October 19 by "unknown perpetrators" and suffered serious injuries, from which he died several days later without regaining consciousness. The ambulance that picked Chać up responded to a telephone call purportedly made by the police, but no policeman was in sight when it found Chać.

• There are reports that Father Jan Umiński and Roman Ochnicki were detained by police on November 28 while returning from St. Stanisław's Church in Warsaw to their parish in Piotrków Trybunalski. During interrogation, Father Umiński suffered a heart attack and was subquently in the hospital for six days.

• PAP reports that the Security Service has uncovered an underground print shop in the basement of a Warsaw house belonging to Krzysztof Gos, who has been arrested. In Płock, Teresa Piechocka has been arrested while distributing underground publications.*

Dec. 3. The Sejm meets in Warsaw and adopts a bill providing for the termination of the Sejm's current term on August 31, 1985. New elections will be held no later than the last quarter of 1985 in accordance with a new electoral law to be drafted by the Council of State and submitted for public discussion.

• Polish media report that the Security Service in Poznań has "uncovered and seized" a Radio Solidarity transmitter. A man identified as Paweł N. has been detained.

• The Electoral College of Warsaw University elects Professor Grzegorz Białkowski, a physicist, to be the new rector. In May the Minister of Higher Education vetoed the election of Professor Klemens Szaniawski as rector.*

Dec. 5. The Warsaw University senate meets to discuss the proposed amendments to the Law on Higher Education and sends a letter to the Main Council for Higher Education thanking it for objecting to the proposals.*

Dec. 6. Polish media report that Eugeniusz Szumiejko, a member of the ICC, has reported to the Wrocław Prosecutor's Office, stating that he wishes to benefit from the amnesty.*

Dec. 7. A demonstration is reported in the town of Włoszczowa, where 100 pupils and two priests are said to be occupying school buildings after crucifixes were removed from classroom walls.

• The Supreme Military Prosecutor's Office announces that the investigation against Bogdan Lis and Piotr Mierzewski has been completed and that, since it did not confirm that they had committed treason, they are to be released under the amnesty.*

• Polish media report that the Security Service in Warsaw has uncovered an underground print shop in the cellar of a house, where *Tygodnik Mazowsze* was allegedly printed. Four people have been detained.*

• Polish media report that the Prosecutor's Office in Szczecin has launched an investigation into the Szczecin KOPP founded by Edmund Bałuka and Jan Kostecki. Both of them have been informed their activities are illegal.*

• Politburo and Central Committee member Józef Czyrek opens a national conference on the social sciences. Marxism-Leninism must play a dominant role in the development of the social sciences, he says, More Marxist textbooks are required, the selection of lecturers in the social sciences at all academic institutions must be "principled," and any form of ideological "pluralism" is to be firmly rejected.

Dec. 8. Zbigniew Janaś, a deputy to Zbigniew Bujak in the Warsaw region of Solidarity underground, submits his resignation and states that he will come out of hiding for personal reasons.*

Dec. 10. At a ceremony held in the Warsaw apartment of Professor Edward Lipiński, Adam Michnik is awarded an honorary doctorate from the New School of Social Research in New York.

• The ICC calls for a peaceful commemoration of the third anniversary of martial law and the killing of miners at the Wujek coal mine, and the 14th anniversary of the killing of workers on the Baltic Coast in 1970.

Dec. 13. On the anniversary of martial law, Lech Wałęsa lays a wreath at the Three crosses Monument in Gdańsk and issues a letter to the working people of Poland, in which he says that the last three years have revealed the total bankruptcy of those who thought they could make changes without the acceptance of the Polish people. As long as the situation created by martial law persists, Poland is doomed to remain poor, isolated from the rest of the world, and plunged into permanent crisis.

Dec. 16. A demonstration is held in Gdańsk to commemorate those killed on the Baltic Coast in 1970. A large crowd, headed by Wałęsa, Bogdan Lis, and Andrzej Gwiazda, is dispersed by police using smoke cannisters and flares while trying to lay a wreath at the Three Crosses Monument. A number of people, including Gwiazda, are detained after the ensuing street demonstrations.* There are also reports of demonstrations in Wrocław and Nowa Huta.

Dec. 17. Polish media report that Andrzej Gwiazda, Maciej Nakrecki, and Wacław Sulek have been sentenced to 3 months' imprisonment following the "riotous assembly" of the previous day.*

• It is announced in Washington that the US is withdrawing its objections to Poland's membership of the IMF.

• Zdzisław Podolski, a member of the Szczecin KOPP, is reportedly arrested on charges of assaulting a police officer.

Dec. 18. Lech Wałęsa, Bogdan Lis, and Władysław Frasyniuk issue a statement accusing the police of excessive and brutal force against marchers in Gdańsk on December 16.

• A request by 32 residents of Toruń seeking official registration for the Toruń KOPP is rejected on the grounds that such a committee poses a threat to public order.*

Dec. 20. Italian Foreign Minister Guiglio Andreotti arrives in Poland for an official visit. The following day, he meets with two prominent Solidarity advisers, Tadeusz Mazowiceki and Bronisław Geremek, at a reception at the Italian Embassy.

Dec. 22. A plenary session of the Central Committee hears a report from the Politburo on Party work in the Ministry of Internal Affairs. While expressing full confidence in the ministry, General Jaruzelski states that it is necessary to strengthen the ministry's political apparatus.

• The Executive Committee of the new National Trade Union Accord (OPZZ) issues a statement critical of lowered production standards, managerial inefficiency, and the policy of further price increases. The statement declares that the OPZZ is prepared to accept price increases only if these are accompanied by increases in wages and welfare benefits.

• Eight people begin a four-day hunger strike in Gdańsk in solidarity with those spending Christmas in prison for political reasons.

Dec. 24. Ten western correspondents write to the Polish government, protesting against the fact that they have not been allocated passes for the trial of Father Popiełuszko's murderers.

Dec. 27. The trial of four security officials charged with the murder of Father Popiełuszko opens in Toruń.*

Dec. 31. It is reported that Ryszard Kalinowski, former deputy to Lech Wałęsa, left Poland yesterday with his wife and daughter and has asked for permission to settle in Norway.

January

Jan. 4. The government Prices Office presents the proposed price increases for "consultation." There are three variants ranging from large increases combined with the elimination of most rationing to smaller increases and the maintenance of most rationing.

Jan. 6. In a sermon delivered at Warsaw Cathedral, Cardinal Glemp describes Father Popiełuszko as a martyr and says that his death will help speed up the search for a solution to Poland's problems. He also appeals to the authorities to renounce the use of fear as a political weapon.

Jan. 7. The trial of Józef Pinior and Piotr Bendarz on charges of appropriating 80 mln. złoties from Wrocław Solidarity opens in Wrocław and is adjourned until January 28.*

Jan. 10. A joint meeting of the OPZZ Executive Committee and the Government Committee for Trade Union Affairs takes place in Warsaw. The OPZZ reiterated its opposition to further price increases.

Jan. 13. Polish TV broadcasts an attack on Father Stanisław Małkowski, recently banned by Cardinal Glemp from delivering sermons within the Warsaw Archdiocese. Father Małkowski is accused of ignoring this ban and being "venomous and provocative."

Jan. 15. The Party daily, *Trybuna Ludu* reports on a recent "illegal" meeting interrupted by the Security Service in the apartment of a Warsaw teacher, Janina K. The 22 people present included Henryk Wujec, Ryszard Bugaj, and Szymon Jakubowicz. They were reportedly discussing a document produced by "an opposition group" in the Warsaw FSO car factory concerning the amendment of the self-management law. Nobody was detained, "although formal grounds for firmer action could be found."

Jan. 16. The French Finance Ministry announces that representatives of 17 western governments have agreed in principle to the rescheduling of the Polish debt.

Jan. 19. Polish TV broadcasts a program attacking Lech Wałęsa, accusing him of, among other things, being in the pay of the West.

Jan. 21. The ICC issues an appeal, signed also by Adam Michnik and Bogdan Lis, for a 15-minute general strike on February 28 in protest against impending price increases.

Jan. 27. An estimated 20,000 people attend a "Mass for the Homeland" conducted at St. Stanisław's Church in Warsaw by Father Teofil Bogucki. Referring to the trial of Father Popiełuszko's murderers taking place in Toruń, Father Bogucki states that the whole security apparatus should be on trial.

Jan. 30. The Prosecutor's Office in Gdańsk announces that it is bringing charges against Adam Michnik and Bogdan Lis concerning their participation in the ICC meeting on January 21.*

February

Feb. 1. The Polish Episcopate protests against the offical media's coverage of the Toruń trial.*

• Stanisław Kotowski, a building engineer from Warsaw, is sentenced to two-and-a-half years' imprisonment on charges relating to underground publishing.*

Feb. 2. Police break up a meeting of the Wałbrzych KOPP at the home of Mieczysław Tarnowski. Some 30 people attending the meeting are taken in for questioning and released after several hours.*

• The Main Statistical Office issues its report on socio-economic plan fulfillment for 1984. In comparison with 1983, national income increased by 5 percent, labor productivity by 5.9 percent, sold output of socialized industry by 5.3 percent, and agricultural production by 3.8 percent. Money incomes increased faster than the cost of living. Nevertheless, economic performance was still below 1979 levels. According to independent estimates, national income in 1984 was at least 14 percent lower than in 1978.

Feb. 3. Delivering a sermon in Gnieźno, Cardinal Glemp denounces the attacks on Father Popiełuszko made during the Toruń trial.*

Feb. 5. Seweryn Blumsztajn, former member of KOR and Solidarity activist, returns to Poland from Paris and is forcibly put back on the plane to France.*

• Jerzy Urban tells foreign journalists that a new Deputy Minister of Internal Affairs, appointed in December 1984, is in charge of political and educational work in the ministry. He refuses to comment on reports that Mirosław Milewski no longer attends Politburo meetings.*

• Warsaw Radio reports, on the eve of the 80th anniversary of the birth of Władysław Gomułka, that the Politburo has instructed the Party publishing house to prepare an edition of Gomułka's complete works.

Feb. 7. The verdicts are announced in the Toruń trial. Colonel Adam Pietruszka and Captain Grzegorz Piotrowski are sentenced to 25 years' imprisonment; Lieutenants Waldemar Chmielewski and Leszek Pękala to 14 and 15 years' respectively.*

• *Trybuna Ludu* publishes an article by Jerzy Urban, under his pseudonym of Jan Rem, criticizing the use of churches as a forum in which opposition activists present their views.

Feb. 8. Lech Wałęsa issues a statement on the Toruń trial, condemning the Security Service methods it revealed, protesting against the attacks on Father Popiełuszko and the Church, and calling on the authorities to make genuine efforts to build national accord.

Feb. 10. Preaching in Puck near Gdańsk, Cardinal Glemp protests against the removal of crucifixes from hospitals.

• General Jaruzelski leaves Warsaw for an official visit to India.

Feb. 11. Józef Pinior is ordered by a Wrocław court to repay the 80 mln. złoties he withdrew from Wrocław Solidarity's bank account in December 1981.*

Feb. 12. Andrzej Gwiazda, currently serving a three-month prison sentence, is sentenced to an additional, two-month, sentence by a court in Jastrzębie.*

• Józef Śreniowski, 38, is sentenced to two years and four months' imprisonment on charges of transporting underground publications.*

Feb. 13. The Security Service raids a meeting in Gdańsk attended by Lech Wałęsa, Bogdan Lis, Władysław Frasyniuk, Adam Michnik, and four other leading Solidarity activists. Lis, Frasyniuk, and Michnik are placed under arrest, and all, except Wałęsa, are charged with planning "a protest action contrary to existing legal regulations." They had been discussing the ICC's strike call for February 28.*

Feb. 15. The Polish Bishops' Conference issues a statement criticizing the conduct of the Toruń trial.*

• Lech Wałęsa and Jacek Kurón issue a statement protesting against the arrest of Michnik and others on February 13.

Feb. 16. Lech Wałęsa is summoned for questioning by the Prosecutor's Office in Gdańsk and told he is under investigation on suspicion of fomenting unrest, organizing an illegal protest, and being a member of an illegal organization.*

• Polish media announce that Jacek Knapik, a Polish emigré returning to Poland after nearly 10 years in Austria, has handed over to the authorities documents from the Brussels-based Coordinating Office of Solidarity Abroad, which allegedly show that ICC members are linked to "centers of subversion" in the West.*

• The Solidarity office in Brussels issues a statement saying that it has had no contacts with Knapik and that it suffered a burglary some months ago, in which many documents and computor discs were stolen.

Feb. 17. Polish TV broadcasts the first of a series of programs featuring the documents allegedly brought to Poland by Jacek Knapik.*

Feb. 18. Seven members of the Kraków KOPP, together with Anna Walentynowicz from Gdańsk, begin a bread-and-water fast in a church near Kraków to protest against attacks on the Church, against the arrest of Lis, Michnik, and Frasyniuk, against the imprisonment of Andrzej Gwiazda, and the refusal to allow Seweryn Blumsztajn to return to Poland.

• Colonel Zbigniew Pudysz, Director of the Bureau of Investigations at the Ministry of Internal Affairs, continues his TV revelations concerning the Knapik documents.*

Feb. 19. At his weekly press conference, Jerzy Urban denies that there is a campaign against the Church but states that the authorities have the right to criticize "negative phenomena" within the Church.*

• Warsaw Radio Solidarity broadcasts an appeal for a 15-minute strike on February 28 from Lech Wałęsa.

Feb. 20. Jacek Knapik is interviewed by Polish TV.

Feb. 21. A group of 800 former internees and political prisoners publish a letter to the authorities protesting against the arrest of Lis, Michnik, and Frasyniuk.

• Jacek Knapik is interviewed a second time on Polish TV. He says that Solidarity activists in Vienna are primarily concerned with financial gain, and accuses the Brussels Office and the ICC of embezzling large sums of money.

Feb. 22. All major Polish dailies carry an article by government spokesman Jerzy Urban, under his pseudonym of Jan Rem, attacking the Catholic press.

Feb. 23. A meeting of the OPZZ, the new umbrella organization for the official trade unions, comes out against further price increases.

• The Price Affairs Council, an official body, states that price increases, especially for food, should be spread over many months.

Feb. 24. Over 20,000 people take part in the "Mass for the Homeland" at St. Stanisław's Church in Warsaw and pray for the release of Lis, Michnik, and Frasyniuk.

• Yet another interview with Jacek Knapik is broadcast on Polish TV. He maintains that his documents show conclusively that Solidarity is financed by the CIA.

Feb. 25. The Polish government announces that price increases will not be implemented all at once but over a period of several months. Pensions are to be increased and other measures will be taken to help the lowest-income groups. According to the official announcement, this change in plans has been brought about by the stand of the OPZZ and as a result of "consultations" with the public.

• Lech Wałęsa and Zbigniew Bujak issue a statement calling off the strike planned for February 28.

• Jacek Knapik again interviewed on Polish TV. Both Radio Free Europe and Solidarity are financed by the CIA, he says.

Feb. 26. At his weekly press conference, Jerzy Urban states that opinion polls show that 52 percent of the population consider that the government should take legal action against priests who make anti-government speeches.

• Polish TV broadcasts its final interview with Jacek Knapik. Again, he accuses Solidarity activists of being primarily interested in financial gain.

Feb. 27. Speaking in Opole, Deputy Prime Minister Mieczysław Rakowski criticizes the activity of the opposition and some members of the clergy who are clearly engaged in political struggle. He says that steps should be taken to counteract the monopoly that the Church enjoys as the only moral force in the country.

INDEX on CENSORSHIP

How many of these topics concern you?

— Survival of literature in Eastern Europe
— Book burning in the USA
— Vietnam — a culture destroyed
— Writers and apartheid
— Freedom to write in Iran
— Disappeared writers in Argentina

These are all topics covered in recent issues of *Index on Censorship* the magazine devoted to the defense of freedom of expression worldwide.

Index's coverage is wide ranging and politically impartial including the press, literature and the arts, broadcasting and academic freedom. It also publishes regularly banned literature and poetry.

'Needs to be read by anyone who wants to know his time' Arthur Miller

'One of the most interesting publications we know of' The New Yorker

☐ Yes I would like one year's subscription to Index on Censorship at $25 (6 issues)

☐ I enclose check/money order for $

☐ Please bill me

☐ In the first instance please send me a free sample copy.

Return this form to:
Index on Censorship, c/o Fund for free expression, 36 W 44th St., New York, N.Y. 10036.

Name .....

Address .....

.....

.....

ISSN: 0736-0061